CHRISTIAN UNITY
AND THE
HISTORIC EPISCOPATE

HENRY FORRESTER

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BY

HENRY FORRESTER,

A PRESBYTER OF THE AMERICAN CHURCH.

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TO ALL WHO LOVE

The Lord Jesus Christ and His Church,

AND ESPECIALLY TO THOSE WHO
ARE SEEKING THE UNION,
IN HIS VISIBLE BODY,
OF ALL WHO BELIEVE IN HIM,

This Book is Affectionately Dedicated.

PREFACE.

IT IS with great diffidence, yet with much confidence, that the following pages are offered to the consideration of the American Church, and the Christian public generally—diffidence, on account of their divergence from the prevailing views; confidence, because of the seemingly strong foundation upon which that divergence is based. If the prevailing theories are correct, this discussion of them will only fix them more firmly in the mind of the Church. If these theories are erroneous, it is time they should be replaced by something better. In any case, therefore, this essay may be of service to the cause of truth, and the heartiest desire of the writer will then have been accomplished.

In the preparation of this work, the author has endeavoured to keep in mind the unlearned as well as the learned; hence some things which to the latter may seem superfluous. It is hoped that Christian people who are not familiar with ecclesiastical terms or the history of the Church and her Councils, will find no difficulty in understanding any part of what is herein written. The effort has been conscientiously made to present a clear, straightforward statement of the subject.

The scholar will at once see under what disadvantages this work has been done. He will miss the names of authors to whose works he would expect reference to be made, and will observe that the writer has had access to but few books. In fact, dependence has been placed, principally, upon Bingham, Hefele, Fulton, and the American edition of the *Ante-Nicene Christian Library*. There is some compensation in this, however, as these are works easily accessible, and they are really

sufficient for the purpose in view. In some crucial points it may be necessary to consult works in their original languages, but, ordinarily, good translations are preferable. It is seldom that the average scholar can venture to differ with the men by whom such translations are made.

Finally, let it be said that the author of this little book is not wedded to any theories propounded in it. He has endeavoured to find some relief for himself and to help others to the same, in view of the serious aspect of the times, and the promising movement toward Christian unity. If any one will offer some better thing than is suggested here, the author will be among the first to accept it. If this is the best that can be offered, may others recognise the fact and receive it heartily. Whatever may be the case, the author humbly offers this work to the All-gracious Father, praying that it may be blessed to His glory in the good of men.

JULY 17, 1889.

CHRISTIAN UNITY AND THE HISTORIC EPISCOPATE.

I.

THE DRIFT TOWARD UNITY.

THAT there has been for a number of years past a notable drift toward Christian unity is evidenced by the Evangelical Alliance, the Lambeth and Bonn Conferences, the Pan-Presbyterian and other similar gatherings, and numerous individual utterances and acts of intercommunion. It is doubtless true that this has been, in some quarters, a blind groping after something which was felt to be desirable but the true character of which was not understood; nevertheless, the motion was distinctly toward unity, however imperfectly the true idea was realised. That the impulse, everywhere, has been and is a good one, and GOD-directed, who can doubt?

The day is rapidly passing away, if not already past, when men of intelligence can afford to defend or apologise for division. The evils of it are too apparent. When we see three or four ministers, of as many different denominations, in a village barely capable of supporting one; when it is evident that these ministers are competitors for the patronage of the public—this is really the way to put it—and are often driven by the necessities of their position to the use of expedients that are discreditable to the religion they profess; when their time is largely taken up in combating each other's errors or supposed errors, or, worse still, in getting up "union

meetings" and then quarrelling over or descending to all sorts of tricks and stratagems for securing the converts; when the world, perplexed in view of the claims of numerous sects and disgusted with the contentions between them, makes these things an excuse for unbelief and wickedness; when thousands upon thousands of families in rural regions are permitted to go without any religious ministrations, to which, under a proper system, the superfluous village ministers might go; when, even in our centres of population, many thousands of people are as much deprived of the Gospel, practically, as the tribes in the heart of Africa; when all these, with the fearful waste of power and means, and the many other evils of the present state of things are considered, one cannot fail to feel that these divisions among professed Christians are not only disastrous, but wicked. That men have felt it accounts for the drift toward unity, characteristic of the time.

It was naturally to be expected that the first *practical* step toward the securing of unity would be taken by a historic Church, itself possessed of all things essential to visible continuity from the Church of the Councils and the Fathers. It was also natural that such a body should be ready to yield all non-essentials, and that it should act in the broadest possible spirit of Christian love in inviting others to seek for the restoration of that primitive unity which its own position enabled it so fully to appreciate. The historical fact is in accordance with these things.

THE FIRST PRACTICAL STEP

in this direction, in this country, was taken by the Bishops of the Protestant Episcopal Church. During the session of the General Convention of 1886, memorials on this

subject were received from the dioceses of Louisiana and Kentucky, and from bishops, clergy, and laity throughout the country. These memorials were referred to a committee of the House of Bishops, and the report of this committee was adopted by the Bishops in Council. It reads as follows:

The Committee to whom were referred sundry memorials addressed to the Bishops in Council and to the House of Bishops, praying that some plan may be devised which, in a practical way, will promote the restoration of Christian unity, all which memorials emanated from certain of the clergy and of the laity of the Church, the former numbering about one thousand and the latter nearly two thousand, beg to report that they have given to the same the full and earnest consideration which the gravity of the subject and the fervent prayer of the petitioners demanded.

The conclusions of your Committee are set forth in the following preamble and declarations:

WHEREAS, In the year 1853, in response to a Memorial signed by many Presbyters of this Church, praying that steps might be taken to heal the unhappy divisions of Christendom, and to more fully develop the Catholic idea of the Church of Christ, the Bishops of this Church in Council assembled did appoint a Commission of Bishops empowered to confer with the several Christian Bodies in our land who were desirous of promoting godly union and concord among all who loved the Lord Jesus in sincerity and truth;

And whereas, This Commission, in conformity with the terms of its appointment, did formally set forth and advocate sundry suggestions and recommendations intended to accomplish the great end in view;

And whereas, In the year 1880, the Bishops of the American Church, assembled in Council, moved by the appeals from Christians in foreign countries who were struggling to free themselves from the usurpations of the Bishop of Rome, set forth a declaration to the effect that, in virtue of the solidarity of the Catholic

Episcopate, in which we have part, it was the right and duty of the Episcopates of all national Churches holding to the primitive Faith and Order, and of the several Bishops of the same, to protect in the holding of that Faith, and the recovering of that Order, those who have been wrongfully deprived of both; and this without demanding a rigid uniformity, or the sacrifice of the national traditions of worship and discipline, or of their rightful autonomy;

And whereas, Many of the faithful in Christ Jesus among us are praying with renewed and increasing earnestness that some measures may be adopted at this time for the reunion of the sundered parts of Christendom: Now, therefore, in pursuance of the action taken in 1853 for the healing of the divisions among Christians in our own land, and in 1880 for the protection and encouragement of those who had withdrawn from the Roman Obedience, we, Bishops of the Protestant Episcopal Church in the United States of America, in council assembled as Bishops in the Church of God, do hereby solemnly declare to all whom it may concern, and specially to our fellow-Christians of the different Communions in this land, who, in their several spheres, have contended for the religion of Christ:

1. Our earnest desire that the Saviour's prayer, "That we may all be one," may, in its deepest and truest sense, be speedily fulfilled;

2. That we believe that all who have been duly baptized with water, in the name of the Father, and of the Son, and of the Holy Ghost, are members of the Holy Catholic Church;

3. That in all things of human ordering or human choice, relating to the modes of worship and discipline, or to traditional customs, this Church is ready in the spirit of love and humility to forego all preferences of her own;

4. That this Church does not seek to absorb other Communions, but rather, co-operating with them on the basis of a common Faith and Order, to discountenance schism, to heal the wounds of the Body of Christ, and to promote the charity which is the chief of Christian graces and the visible manifestation of Christ to the world;

But furthermore, we do hereby affirm that the Christian

unity now so earnestly desired by the memorialists, can be restored only by the return of all Christian communions to the principles of unity exemplified by the undivided Catholic Church during the first ages of its existence; which principles we believe to be the substantial deposit of Christian Faith and Order committed by Christ and His Apostles to the Church unto the end of the world, and therefore incapable of compromise or surrender by those who have been ordained to be its stewards and trustees for the common and equal benefit of all men.

As inherent parts of this sacred deposit, and therefore as essential to the restoration of unity among the divided branches of Christendom, we account the following, to wit:

1. The Holy Scriptures of the Old and New Testament as the revealed Word of God.

2. The Nicene Creed as the sufficient statement of the Christian Faith.

3. The two Sacraments,—Baptism and the Supper of the Lord,—ministered with unfailing use of Christ's words of institution and of the elements ordained by Him.

4. The Historic Episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples called of God into the unity of His Church.

Furthermore, Deeply grieved by the sad divisions which affect the Christian Church in our own land, we hereby declare our desire and readiness, so soon as there shall be any authorized response to this Declaration, to enter into brotherly conference with all or any Christian Bodies seeking the restoration of the organic unity of the Church, with a view to the earnest study of the conditions under which so priceless a blessing might happily be brought to pass.

A. N. Littlejohn,
G. T. Bedell,
M. A. De Wolfe Howe,
Samuel S. Harris,
J. N. Galleher.

On motion, the foregoing report was adopted, and ordered to be printed, and communicated to the House of Deputies. [*Journal of House of Bishops*, 1888, p. 79.]

Independent action was also taken in the House of Clerical and Lay Deputies, proposing that a committee of five bishops, five presbyters, and five laymen should be appointed to enter into communication with any other Christian bodies seeking the restoration of unity. Such a committee was appointed, and through it this declaration of the Bishops was, presumably, made known to the Christian bodies of the country. Its report to the next General Convention will be looked for with interest.

This advance on the part of the Bishops was met in a most courteous and respectful spirit by the governing bodies of most of the Protestant Churches, though in some quarters and especially in certain Christian periodicals, suspicion, scorn, and a most uncharitable questioning of sincerity and honesty were conspicuous. On the whole, however, the Bishops have good reason to be pleased with the result of their action. Of course, as nothing was to be expected from the authorities of the Roman mission, no disappointment could result from their failure to make official response. The question of unity with Rome and those who recognise authority in the Papacy must wait upon the withdrawal of the Creed of Pius IV. and later additions, as terms of communion.

THE SCOPE OF THE DECLARATION.

The Bishops undoubtedly had in view, primarily, in making this declaration, the Protestant bodies in this country. A good deal of fault has been found with them for this, some urging that it is of supreme importance not to take any steps that might seem to endanger future intercommunion with the Eastern Churches, and others objecting to anything that might further separate us from the Churches in communion with Rome. While it is cer-

tainly well to guard these points as much as possible, it would seem that the preëminent need and the end to be first striven for by us is unity among American Christians. It is very certain that the great problem before the Church in this country is the preservation of this nation in the Christian faith. This is her God-given mission. If, as is held by many, the Anglo-Saxon is now and is more and more to become the dominant race of the world, and if this country is to be the principal home of this race, from which it will some day go out to stamp its impress on all the other races of the world, then it is more important to make this nation a unit for Christ than it is to convert to Him all the world besides; indeed, to do the former will be the readiest way to accomplish our share of the latter. But, whether this be so or not, there can be no question but that the unification of all the non-Roman Christians of this country would be the most important possible work that could now be done for the nation; as it would also be the most effective means of counteracting Romish influences, and perhaps of detaching from their foreign allegiance those of our citizens now under papal domination, and attaching them to the national Church. Whatever obstacles there may be, therefore, to the securing of unity among non-Roman Christians in this country, should be studied with a view to their removal; for in this unity lies the hope of the future.

THE LAMBETH CONFERENCE.

It may be noted that the Lambeth Conference of 1888, at which there were present one hundred and forty-five Bishops, some from every province of the Anglican Communion, including twenty-nine of the American Bishops, adopted, with some modifications, the four essential

terms of communion set forth by the American Bishops, as applicable to the question of Home Re-union in the British Isles. The Encyclical letter deals with the question in the following language:

Home Re-union.—After anxious discussion we have resolved to content ourselves with laying down certain articles as a basis on which approach may be, by God's blessing, made towards Home Re-union. These articles, four in number, will be found in the appended Resolutions.

The attitude of the Anglican Communion towards the religious bodies now separated from it by unhappy divisions would appear to be this:—

We hold ourselves in readiness to enter into brotherly conference with any of those who may desire intercommunion with us in a more or less perfect form. We lay down conditions on which such intercommunion is, in our opinion, and according to our conviction, possible. For however we may long to embrace those now alienated from us, so that the ideal of the one flock under the one Shepherd may be realized, we must not be unfaithful stewards of the great deposit entrusted to us. We cannot desert our position either as to faith or discipline. That concord would, in our judgment, be neither true nor desirable which should be produced by such surrender. But we gladly and thankfully recognize the real religious work which is carried on by Christian bodies not of our Communion. We cannot close our eyes to the visible blessing which has been vouchsafed to their labors for Christ's sake. Let us not be misunderstood on this point. We are not insensible to the strong ties, the rooted convictions, which attach them to their present position. These we respect, as we wish that on our side our own principles and feelings may be respected. Competent observers, indeed, assert that not in England only, but in all parts of the Christian world, there is a real yearning for unity—that men's hearts are moved more than heretofore towards Christian fellowship. The Conference has shown in its discussions as well as its resolutions that it is deeply penetrated with this feeling. May the Spirit of Love

move on the troubled waters of religious differences. [*Lambeth Conferences*, p. 272.]

The appended resolutions referred to here read thus:

11. That, in the opinion of this Conference, the following Articles supply a basis on which approach may be, by God's blessing, made towards Home Reunion :—

(*A*) The Holy Scriptures of the Old and New Testaments, as "containing all things necessary to salvation," and as being the rule and ultimate standard of faith.

(*B*) The Apostles' Creed, as the Baptismal Symbol, and the Nicene Creed as the sufficient statement of the Christian faith.

(*C*) The two Sacraments ordained by Christ Himself—Baptism and the Supper of the Lord—ministered with unfailing use of Christ's words of Institution, and of the elements ordained by Him.

(*D*) The Historic Episcopate, locally adapted in the methods of its administration to the varying needs of the nations and peoples called of God into the Unity of His Church.

The following paragraph is also of interest in this connection :

12. That this Conference earnestly requests the constituted authorities of the various branches of our Communion, acting, so far as may be, in concert with one another, to make it known that they hold themselves in readiness to enter into brotherly conference (such as that which has already been proposed by the Church in the United States of America) with the representatives of other Christian Communions in the English-speaking races, in order to consider what steps can be taken either towards corporate Reunion or towards such relations as may prepare the way for fuller organic unity hereafter. [*Ibid*, p. 280.]

It is earnestly to be hoped that this action will lead to union among Christians in all the British Possessions, but in any case the American Church has her own work to do, and must give herself to it, whatever may be done

or left undone in foreign lands. In doing her own peculiar work she has no need to be regardful of foreign Churches beyond what is required by Catholic principles and a fraternal affection for brethren in the LORD JESUS CHRIST.

INDEPENDENCE OF NATIONAL CHURCHES.

Nothing is clearer in the history of the early Churches than that, while they were careful to maintain unity in essentials, they were tenacious of their rights as autonomous bodies, and exercised their own judgment and governed themselves in all non-essentials. The differences in the mode of the reception of heretics and schismatics into communion are an illustration of this. True, as the organisation of the Church was conformed more and more to that of the empire, this liberty was encroached upon until little by little it almost passed away, and then was finally lost in the West, under the papacy; but it is our privilege to re-assert it and to claim and exercise our rights as an autonomous and autocephalous Church, leading the way, if need be, in the regaining of this liberty, even at some expense of temporary discord. It is scarcely to be doubted, however, that what is seen to be true, wise, and expedient by the American Church would be accepted as such by the Anglican Communion generally; though, should it be otherwise, we are not and cannot be bound by any action of foreign Churches in matters pertaining to our own discipline; but must manfully exercise our lawful liberty, working wisely in the performance of our own work in our own special field, maintaining our own rights and conceding to others theirs.

Unity among the Churches which go to make up what we call the Anglican Communion is an important and valuable possession, and we should do nothing lightly

to disturb it; but the self-governing power of national Churches is also a priceless treasure, which must not be sacrificed for a temporary good, but must be preserved at any cost.

The one evil to be feared in our close connection with the English Church is that, from a sentimental regard to the brilliant and majestic mother Church, we shall be led to yield more of our rightful liberty than we ought. When a daughter marries, her first duty becomes loving loyalty to her spouse; with which mothers-in-law are supposed sometimes to interfere. The American Church must be careful not to let her love for her mother seduce her from unswerving loyalty to her Divine spouse, whose commands are her supreme law, and whose gifts are her most precious treasures. Among these gifts what is more precious than that liberty wherewith He has made us free?

THE CHIEF OBSTACLE TO UNITY.

It is evident from the responses made to and the comments on the declaration of the Bishops that the fourth term of communion set forth by them—the historic episcopate—is considered by many as the one great obstacle to unity. And if it is to be understood as involving the reordination of all ministers not having what we call episcopal orders, it must be admitted that this is certainly one of the chief obstacles in the way.

Many Protestant ministers who have come to see the value of the episcopal form of Church government are not prepared to admit that their present orders are invalid, and to submit to a new ordination at the hands of our bishops. And in this they have the sympathy of a considerable proportion of the members and a not insignificant number of the Clergy of the Episcopal Church.

This is a most important fact; for if the Church does not require her members or even her clergy to subscribe to any particular theory of Orders, there is no good reason why she should impose any theory upon ministers of other religious bodies who desire to enter into communion with her. If, therefore, good and fit men now ministering in non-episcopal bodies are disposed to accept the historic episcopate as a valuable if not an essential factor in the work of preserving and propagating the Christian faith, but are repelled by the requirement of reordination, we ought to be very sure that such reordination is essential before we insist upon it; and we ought to seek diligently and earnestly for the removal of this obstacle to unity, provided it can be removed without the sacrifice of any essential principle.

The question certainly deserves a most serious, impartial, and thorough consideration, for whatever other obstacles to unity there may be—and there are other not unimportant ones—this lies at the very threshold of the subject, and must be determined by itself.

THE LESSON FROM HISTORY.

This is not by any means the first time in the history of the Catholic Church that a situation similar to that in which we find ourselves has confronted her. There must be something, therefore, in her action in the past, to indicate to us the principles upon which we should deal with the great problem demanding solution at our hands. The work before us, then, is to examine into the history of past action for the healing of divisions, and see whether we can find any definite principles which we can apply to our own circumstances, so as to facilitate the unification of American Christians.

EVILS OF FALSE THEORIES.

Before we enter upon this historical examination, however, it is necessary to clear the ground by the removal of certain difficulties in the way of a proper estimate of the result of this examination—difficulties arising from the prevalence of false theories and false assumptions, which would tend to prevent our arriving at true conclusions, however plainly the historical facts might be set before us.

Probably the greatest evils existing in the theological world to-day are of this character. We are too much given to traditionalism—to accepting and holding certain views because they have been and are sanctioned by great names, and failing to go to the bottom of things and see for ourselves what are the ultimate facts.

"SECOND-HANDNESS."

Canon Farrar, in describing the Rabbis and their teaching [*Life of Christ*, Vol. I., p. 266, n.], coins a word which admirably describes this habit. He calls it "second-handness." Notwithstanding the character of our age and the facilities existing for independent investigation, there is entirely too much of this habit among us. In fact, while the age has put into our hands unrivalled facilities for such investigation, it has also abundantly offered to our indolence temptations to escape the labour involved in it. Dictionaries, cyclopedias, compends, and text-books, while very convenient things for the real student, are wofully misleading to others, and are doubtless largely responsible for the superficiality and the erroneous notions so widely prevailing.

The study of the great divines of the reformed Church of England and the great theologians of the

middle ages is a very good thing, provided one has time to give to them as well as to the earlier sources from which they derived their learning; but to study them and not verify their references and test their interpretations is to give one's self up to be led astray. Certainly there is no excuse for the student who pursues this course nowadays; for, however he may be obliged to rely on these middlemen for *assistance*, in many respects, he need not be at their mercy; but having access to the Scriptures, the early Fathers, and the acts of the Councils, he is able to get at the original facts and to form his own conclusions.

As an illustration of this second-handness, perhaps nothing better can be found than the remark made by one not long since, as follows:

> When a man knows his *Summa*, his theology will be impregnable.

Now, Thomas Aquinas was doubtless a great scholar, and his work is very valuable, but, considering the time in which he lived and the circumstances which surrounded him, he certainly cannot be esteemed a safe guide for us. Why should we be content with a writer of the thirteenth century as our ultimate guide and instructor in theology, when we can have all the writers of the Ante-Nicene period to show us what was taught and practised in the earliest ages of Christianity? It is from such second-handness that we derive our false assumptions and erroneous theories.

LAWRENCE AND BINGHAM.

How these things vitiate our reasonings and destroy the force of our conclusions may be seen from the famous controversy between Lawrence and Bingham, on lay

baptism, so-called. The former, assuming the correctness of a certain theory of the indelibility of Orders, argued that because the Nicene Council, as he interpreted its action, received the Novatian clerics without reordaining them, therefore it recognised their orders as valid, and *for this reason* did not require them to be rebaptised. Bingham, on the other hand, denied this conclusion, contending, rightly, that the Novatians had no orders; but he assumed that they were therefore laymen and their baptism *lay* baptism, and argued that in receiving them without rebaptism the Council recognised the validity of lay baptism! Both these assumptions were false, and the conclusions based on them were therefore worthless.

A SOPHISTICAL DISTINCTION.

Lawrence's theory of the indelibility of orders prevails largely among us to-day, and closely connected with it is the distinction made between *invalid* acts and acts *uncanonical and irregular but valid;* which gave rise to the sophistical application, in theology, of the legal maxim: *Fieri non debet, sed factum valet.** That this maxim has a proper sphere is true, but it is not that in which theologians principally use it. In this it is simply assuming the point in dispute.

The genius of Augustine, the renowned bishop of Hippo, has exercised a most powerful influence on the Western Church, and to him we are indebted for these and some other things for which we do not need to be thankful. The Ante-Nicene Church knew nothing of them, as we shall see.

THE REMEDY.

Stripping ourselves, then, as far as possible, of all

* It ought not to have been done, but being done it is valid.

prejudices and prepossessions, let us go back to the first ages; for, as Cyprian, the noble bishop of Carthage, has well said:

> There is a brief way for religious and simple minds, both to put away error, and to find and elicit truth. For if we return to the head and source of divine tradition, human error ceases. [*Epistle* LXXIII., 10.]*

Before Cyprian, Irenæus and Tertullian had enunciated the same principle, and it is without question the only safe one to follow in all that relates to our holy religion—its faith, its order, and its practise.

* Quotations from the Ante-Nicene writers are taken from the American edition of the *Ante-Nicene Christian Library*, unless otherwise noted.

II.

THE INDELIBILITY OF ORDERS.

THE theories referred to have greatly obscured the true view of holy orders, and it is our task now, therefore, to show that they had no place in the mind of the Primitive Church, but were the product of later times; originating in the exigencies of argument, and being developed by degrees, as earlier principles became overlaid and finally lost out of sight.

THE APPEAL TO ANTIQUITY.

This is a good place, however, at which to call attention to the manner in which the appeal to antiquity is often made, and made most unjustly. One illustration must suffice, and it shall be taken from no less a scholar than the usually most judicious Dr. Waterland. Speaking of the position taken by Bingham on the question of the indelibility of orders, he says:

> I cannot but wonder at Mr. Bingham's strange attempt, strange in a man of his learning and sagacity, to overthrow this so well-grounded notion of the indelible character of orders, by which, whatever he pretends, he runs cross to all antiquity (except the African Church in the time of St. Cyprian and a few years before and after), etc. [*Second Letter to Kelsall*, Works, Vol. VI., p. 174.]

After such a sweeping appeal to "all antiquity," with so limited an exception, one is entitled to expect the writer to go back to the earliest times; yet Dr. Waterland's earliest witness is Augustine.*

* Augustine was bishop of Hippo, A.D. 395–430.

THE ROMAN THEORY.

As a matter of fact Augustine is the first who formulates what may not improperly be termed the Roman theory of the indelibility of Orders, which Waterland held. It seems to have been foreshadowed, however, by an utterance of Callistus, a heretical bishop of Rome, A.D. 217, who is reported by Hippolytus as saying:

If a bishop was guilty of any sin, if even a sin unto death, he ought not to be deposed. [*Refutation of all Heresies*, IX., 7. See also Gore, *Christian Ministry*, p. 188.]

FORMULATED BY AUGUSTINE.

Augustine, in his controversy with the Donatists, driven by the exigencies of his position, expanded this idea and gave it form. First, speaking of baptism being given outside the Church, and also being taken out from her by those who fall into schism, he says:

The sacrament of baptism is what the person possesses who is baptized; and the sacrament of conferring baptism is what he possesses who is ordained. And as the baptized person, if he depart from the unity of the Church, does not thereby lose the sacrament of baptism, so also he who is ordained, if he depart from the unity of the Church, does not lose the sacrament of conferring baptism. [*On Baptism, Against the Donatists*, Book I., Chap. 1., Clark's edition, *Ante-Nicene Christian Library*.]

In another place, applying his principle to ordination, and arguing that as those who have been baptised among heretics are validly baptised, so those who have been ordained among them are validly ordained, he says:

For each is a sacrament, and each is given a man by a kind of consecration, the one when he is baptized, the other when he is ordained; and hence it is not lawful in the Catholic Church to repeat either. For whensoever, for the good of peace, even the

leaders, coming from the schismatic party itself, the error of their schism having been corrected, have been received, and it has been deemed expedient that they should bear the same offices which they bore before, they have not been ordained again; but as their baptism so their ordination remained entire in them; because the fault, which was corrected by the peace of unity was in the separation, not in the sacraments, which wheresoever they are, retain their nature. [*Against Parmenian*, Book II., Chap. 13, quoted by Courayer, *Validity of Anglican Ordinations*, Chap. XIV.]

Much more to the same effect is to be found in the writings of Augustine, and under their influence the theory gradually made its way to acceptance in the Western Church. It is set forth as the Catholic doctrine by Thomas Aquinas [Hagenbach, *History of Doctrines*, Vol. II., p. 119], and also by Bellarmine in his work *De Sacramento Ordinis* [Bingham, *Scholastical History of Lay Baptism*, Part II., Chap. VI., Section 5].

THE CONSEQUENCE.

According to this theory a man having once been ordained, even in schism and heresy, has power to validly perform all the functions of his office, and can never be deprived of it, even if he be deposed and excommunicated and cast out of the Church; so that his ministrations are always valid and effectual to the person receiving them, though uncanonical, forbidden, and sinful as regards the minister.

THIS THEORY NOT CATHOLIC.

That this theory was unknown to the Church previous to Augustine's time, and was only gradually received after it, the following pages will show.

It will, perhaps, be sufficient to give such canons of

the General Councils and of those Councils approved at Chalcedon, and such of the Apostolic Canons as bear on the subject.

THE APOSTOLICAL CANONS.

These are the earliest laws of the Church we have, none of them being later than the fourth century, and a number of them dating back, at least in substance, to Apostolic times. Many of them deal with the discipline of the Clergy, and the penalties prescribed for various offences include suspension, deposition, excommunication, and casting out of the Church. Certain of them declare, directly or implicitly, that ordinations performed under certain conditions are null and void.

Canons 17, 18, 19 and 76 refer to orders in the Church. They read as follows: *

17. He who after Baptism has been twice married, or has had a concubine, cannot be a Bishop, Presbyter, or Deacon, nor be on the sacerdotal list at all.

18. He who has married a widow, or a divorced woman, or a harlot, or a slave, or an actress, cannot be a Bishop, Presbyter, or Deacon, nor be on the sacerdotal list at all.

19. He who has married two sisters or a niece cannot be a clergyman.

76. It is unlawful for a Bishop desiring to gratify a brother, or a son, or some other relative, to ordain whom he will to the dignity of the Episcopate. For it is not just to make heirs of his episcopal office, and through natural affection to give away the things which are GOD'S. It is not lawful to bequeath the Church of GOD to heirs; and if any one shall do this let the ordination be void, and let himself be punished with suspension.

The first three of these canons implicitly make void

*As translated in Dr. Fulton's *Index Canonum*. The translations of the Canons throughout this book are taken from the above work or Hefele's *History of the Councils*, indifferently, except where otherwise noted.

any ordination of such persons as are specified, or at least make them liable to deposition, while the last is direct and positive in its declaration of the nullity of such an ordination as is mentioned.

Others of these canons are positive in their declaration of the nullity of heretical ordinations, and it must be remembered that this term applies to the ordinations of all separated bodies, though they might be only schismatical, in the later sense.

46. We ordain that any Bishop or Presbyter who shall admit the baptism or the sacrifice of heretics shall be deposed; for what communion hath Christ with Belial? or what part hath the faithful man with an unbeliever?

47. If a Bishop or Presbyter shall rebaptize one who has true baptism, or will not baptize one who has been polluted by the impious, let him be deposed, as one who mocks the cross and death of Christ, and who makes no distinction between true priests and false.

68. If any Bishop, Presbyter, or Deacon shall receive from any one a second ordination, let both him and his ordainer be deposed, unless it should be proved that he had his ordination from heretics; for it is not possible that they who are baptized or ordained by such can be either of the faithful or the clergy.

If we compare these with Canon 6 of the second General Council we shall see how sweeping they are. This canon deals with the bringing of accusations against Catholic bishops and prohibits their reception from heretics. It then defines heretics as follows:

By heretics we mean both those who were aforetime cast out and those whom we ourselves have since anathematized, and also those professing to hold the true faith who have separated from our canonical bishops, and set up conventicles in opposition [to them].

So heretical orders were counted as absolutely void

by the framers of these canons, and by heretical orders we are to understand *all* orders proceeding from those who were separated from the Catholic Church, whether they were heretical in doctrine or not.

THE NICENE CANONS.

The following canons of the Nicene Council make certain ordinations void:

9. If any Presbyters have been advanced without examination, or if upon examination they have made confession of crime, and men acting in violation of the Canon have laid hands upon them, notwithstanding their confession, these men the Canon does not admit, for the Catholic Church justifies that [only] which is blameless.

15. On account of the great disturbance and discords that occur it is decreed that the custom prevailing in certain places, contrary to the [Apostolical] Canon, must by all means be done away, so that neither Bishop, Presbyter, nor Deacon shall pass from city to city. And if any one, after this decree of the Holy and Great Synod, shall attempt any such thing or continue in any such course, his proceedings shall be utterly void, and he shall be restored to the Church in which he was ordained Bishop or Presbyter.

16. Neither Presbyters nor Deacons nor any others enrolled among the Clergy, who, not having the fear of GOD before their eyes, nor regarding the Canon of the Church, shall recklessly remove from their own Church, ought by any means to be received by another Church; but every constraint should be applied to restore them to their own Parishes; and, if they will not go, they must be suspended from their ministry. And if any [Bishop] shall dare surreptitiously to take and in his own Church ordain a man belonging to another, without the consent of his own proper Bishop, from whom he has seceded, let the ordination be void.

The Fathers of the first General Council evidently

thought they had power to make certain ordinations void, and the second of these canons seems to include baptisms also, as it refers to the acts of Presbyters and Deacons as well as Bishops.

THE CANONS OF ANTIOCH.

The following canons of the Council of Antioch, A.D. 341, declare certain ordinations to be null and void.

13. No Bishop shall presume to pass from one Province to another and ordain persons to the dignity of the ministry in the Church, not even should he have others with him, unless he should go at the written invitation of the Metropolitan and Bishops in whose country he goes. But if he should without invitation proceed irregularly to the ordination of any, or to the regulation of ecclesiastical affairs which do not concern him, the things done by him shall be disallowed, and he himself shall suffer the due punishment of his irregularity and his unreasonable undertaking by being forthwith deposed by the Holy Synod.

19. A Bishop shall not be ordained without a Synod and the presence of the Metropolitan of the Province. And when he is present it is by all means better that all his brethren in the ministry of the Province should assemble together with him, and these the Metropolitan ought to invite by letter. And it were better that all should meet; but if this be difficult it is by all means necessary that a majority be present, or take part by letter, in the election, and that thus the appointment should be made in the presence or with the consent of the majority; but if it should be done contrary to these decrees, the ordination shall be of no force. And if the appointment should be made according to the prescribed Canon, and any should object through natural love of contradiction, the decision of the majority shall prevail.

22. A Bishop may not enter a city [which belongs] to another and is not subject to himself, nor may he enter into a district which does not belong to him, either to ordain any one, or to appoint Presbyters and Deacons to places within the juris-

diction of another Bishop, unless with the consent of the proper Bishop of the place. And if any one shall presume to do any such thing, the ordination shall be void, and he himself shall be punished by the Synod.

There certainly can be no question as to the belief of the members of this Council in their power to annul ordinations and make them void beforehand. And it is to be remembered that these canons were all ratified by the fourth General Council, A.D. 451.

THE FIRST COUNCIL OF CONSTANTINOPLE.

The fourth canon of this, the second General Council, A.D. 381, is as follows:

With regard to the Cynic Maximus, and the disorder occasioned by him in Constantinople, (it is declared) that Maximus never became a bishop, and is not one now; neither are any of those ordained by him to any grade whatsoever of the clerical office really ordained, as everything performed about him (viz. his consecration) and by him is pronounced invalid.

There can be no dispute as to the meaning of this canon. Its language is absolute and unequivocal, and impossible to be explained away. The Fathers of this Council must have been fully convinced that such an ordination as that of Maximus was null and void from the beginning; for they do not depose him from the episcopate, but assert positively that he had not been admitted to it. The nullity of the ordination was not dependent on their declaration; but was recognised and declared by them to be null from the beginning. Doubtless, the ground upon which they based their declaration was the existing law of the Church.

THE COUNCIL OF CHALCEDON.

The fourth General Council, held at Chalcedon,

A.D. 451, re-affirmed, in its first Canon, the canons of all preceding General Councils, as also those of several local Councils, and probably the Apostolical Canons. A body of Canon law had now been formed from these sources, which the Council had before it. The Council also enacted canons of its own, of which the following declare, directly or implicitly, certain ordinations to be void.

2. If a bishop confers ordination for money, and turns the grace which cannot be bought into merchandise, and consecrates a bishop, or chorepiscopus, or priest, or deacon, or any other cleric, or appoints for money an œconomus, or advocate, or prosmonarios, or any other servant of the Church, for the sake of base gain, upon conviction he shall endanger his own office, and he who is ordained shall have no advantage from his ordination or office obtained by purchase, but shall lose the dignity or post which he has received for money. But if any one has acted as a mediator in these shameful and unlawful transactions, then, if he is a cleric he shall lose his own post, but if he is a layman or a monk, he shall be anathematized.

5. In regard to bishops and clerics who go from one city to another, the canons set forth by the holy fathers respecting them shall have validity.

6. No one shall be absolutely ordained either priest or deacon, or to any other clerical order, unless he is appointed specially to the Church of the city or of the village, or to a martyr's chapel or monastery. In regard to those, however, who have been absolutely ordained, the [holy] Synod decrees that such ordination shall be without effect, and that they shall nowhere be allowed to officiate, to the shame of him who ordained.

Besides the general ratification, in canon 1, of the body of Canon law now recognised as in force, this Council, in canon 5, gives special recognition to the Nicene and Antiochean canons on intrusion, and in canons 2 and

6 provides for certain cases not sufficiently provided for before.

It may be well to note, here, the distinctions between the different canons declaring ordinations to be void. We have (1) certain canons decreeing that if ordinations are given under certain prohibited conditions they *shall be* void; (2) certain canons recognising the force of these decrees and declaring that certain ordinations *are* void; and (3) certain canons declaring that ordinations which have been given under specified improper conditions are not to be recognised for the future and that the persons so ordained in the past are not to be permitted to officiate. The reason for this last is plain enough. Such ordinations not having been previously forbidden and declared null beforehand were valid, and therefore could not be treated like that of Maximus, which had been so forbidden and nullified.

THE LAW OF THE EARLY CHURCH.

Here, then, we have a number of canons, dating from the earliest times to the middle of the fifth century, and the earlier ones re-affirmed at this later date by a General Council, declaring that certain ordinations are *void, null, of no effect.* Manifestly this is entirely inconsistent with the Roman theory of the indelibility of Orders.

To complete our investigation, however, we must now consider certain other canons, concerning deposition from the Ministry.

CANONS ON DEPOSITION.

Various of these are important in connection with our subject because they speak of deposition in such terms as to show that any ministerial functions performed by deposed ministers were considered as invalid and of no

effect. Some of the canons already quoted and many others of the earlier times bear upon this subject, but it will be necessary to transcribe here only a few of the strongest.

ANTIOCH AND CHALCEDON.*

The following canons of the Council of Antioch, which was referred to as having its canons confirmed at Chalcedon, with the Encyclical Letter of the third General Council, will be sufficient for our purpose.

1. Whosoever shall presume to set aside the decree of the holy and great Synod which was assembled at Nicæa in the presence of the pious and most religious Sovereign Constantine, concerning the holy and salutary feast of Easter, if they shall obstinately persist in opposing what was [then] rightly ordained, let them be excommunicated and cast out; and let this be said concerning the laity. But if any of those who preside in the Church, whether he be Bishop, Presbyter, or Deacon, shall presume, after this decree, to exercise his own private judgment, to the subversion of the people and the disturbance of the Churches, by observing Easter [at the same time] with the Jews, the holy Synod decrees that he shall be an alien from the Church as one who not only heaps sins upon himself, but who is also the cause of destruction and subversion to many; and it deposes not only such persons themselves from their ministry, but those also who after their deposition shall presume to communicate with them. And the deposed shall be deprived even of that external honour of which the holy Canon [*i. e.*, the Sacerdotal List] and GOD'S priesthood partake.

3. If any Presbyter or Deacon or any one whatever belonging to the Priesthood shall forsake his own Parish and shall depart, and having wholly changed his residence shall set himself to remain for a long time in another Parish, let him no longer officiate; especially if his own Bishop shall summon and urge him to return to his own Parish, and he shall disobey. And if he persist in his disorder, let him be wholly deposed from his

ministry, so that no further room be left for his restoration. And if another Bishop shall receive a man deposed for this cause, let him be punished by the Common Synod, as one who nullifies the laws of the Church.

4. If any Bishop who has been deposed by a Synod, or any Presbyter or Deacon who has been deposed by his Bishop, shall presume to execute any part of the ministry, whether it be a Bishop according to his former custom, or a Presbyter, or a Deacon, it shall no longer be lawful to him to have a prospect of restoration, nor an opportunity of making his defence in another Synod; but they who communicate with him shall all be cast out of the Church, and particularly if they have presumed to communicate with the persons before mentioned, knowing the sentence pronounced against them.

5. If any Presbyter or Deacon, despising his own Bishop, has separated himself from his Church, and gathered a private assembly, and raised an altar, and if, when summoned by his Bishop, he shall refuse to be persuaded and will not obey, even though [his Bishop] summon him a first and a second time, let such a one be wholly deposed and have no further remedy, neither be capable of regaining his rank. And if he persist in troubling and disturbing the Church, let him be corrected as a seditious person by the Civil power.

12. If any Presbyter or Deacon deposed by his own Bishop, or any Bishop deposed by a Synod, shall dare to trouble the ears of the Emperor when it is his duty to submit his cause to a greater Synod of Bishops, and to refer to more Bishops the things which he thinks right, and to abide by the examination and decision made by them; if, despising these, he shall trouble the Emperor, he shall be entitled to no pardon, neither shall he have an opportunity of defence nor any hope of future restoration.

The men who enacted these canons seem to have had no doubt of their power to deprive ministers, of any rank, of their right, authority, and power to perform the functions of their ministry, either temporarily or perma-

nently. In these canons they go to the extremest point possible, even cutting off all hope of restoration under any circumstances. But the Fathers of the Council at Ephesus, A.D. 431, are, if possible, still more strenuous in their assertion of this power.

THE THIRD GENERAL COUNCIL.

In their Encyclical Letter, referring to those bishops who had refused to meet with them, and who had held a conciliabulum apart, they use this strong language.

> These men, having no privilege of ecclesiastical communion on the ground of a priestly authority, by which they could injure or benefit any persons; since some of them had already been deposed; and since, from their refusing to join in our decree against Nestorius, it was manifestly evident to all men that they were all promoting the opinions of Nestorius and Celestius; the Holy Synod, by one common decree, deposed them all from ecclesiastical communion, and deprived them of all their priestly power by which they might injure or profit any persons.

This goes to the root of the matter. The bishops sitting in this Council certainly knew nothing of the theory of later times. They evidently regard deposition as effectually depriving the deposed of *power* as well as authority to minister in sacred things; and their words may properly be taken as interpretative of the meaning of deposition everywhere.

THE TESTIMONY OF THE FIRST FOUR CENTURIES.

The citations which have been made from the canons of the first four centuries of the Church's life prove, conclusively, that in these ages she knew nothing of the indelibility of orders in the Augustinian or later Roman sense—nothing of the distinction afterwards made between *invalid* acts and acts *uncanonical but valid*.

The latter point is frankly admitted by Hefele. In his comment on the case of Maximus the Cynic, under canon 4 of the second General Council, he says:

> Maximus has been already repeatedly spoken of, and the manner of his consecration as bishop explained, according to which the Synod was perfectly right in pronouncing his deposition. The distinction between invalid (*invalida*, ἄκυρος) and irregular (*illicita*) ordination or consecration had not then been established. What was canonically invalid and practically unrecognised was simply designated ἄκυρος=invalid, while the later canon law distinguished accurately sacramental and canonical invalidity. [*History of the Councils*, Oxenham's translation, T. & T. Clark, Edinburgh.]

The only remarks to be made on this are (1) that the Council did *not* "pronounce his deposition," as we have seen, and (2) that the whole citation is exquisitely *Roman*—such a beautiful specimen of development!

Mr. Gore [*Christian Ministry*, Chap. III., Sect. III.], also shows that the early Church knew nothing of this distinction between what Hefele calls "sacramental and canonical validity." To whom shall we go—the Primitive Church or "the later canon law"?

Bingham's as yet unsurpassed work on *The Antiquities of the Christian Church*, Book XVII., Chap. II., his *Scholastical History of Lay Baptism*, and his *Dissertation on the Eighth Nicene Canon*, may be consulted with profit on the whole subject of the indelibility of orders, though it is necessary to make allowance for a certain false assumption heretofore mentioned. His statement of the question is certainly correct, Lawrence, and Waterland, and many others to the contrary, notwithstanding. The only indelibility of orders the Primitive Church recognised was this: that a man having once

been rightly ordained would never need to be ordained again, to the same office, any more than he would need to be again baptised. If he should be deposed he lost the power bestowed upon him at his ordination, and if he were restored he would receive it again, without a new ordination.

The sum of the whole matter is that the Roman theory of the indelibility of orders, though formulated by Augustine early in the fifth century, was unknown to the Church at large till after the Council of Chalcedon. Its wide acceptance in later times was due to the powerful influence exercised in the West by the writings of the great bishop of Hippo.

III.

TREATMENT OF SEPARATISTS BY THE EARLY CHURCH.

COMING now to the examination of the question as to how the early Church healed divisions, we will take up first, for convenience' sake, the action of the first General Council, A.D. 325, concerning the Novatians, the Meletians, and the Paulianists or Samosatenians.

THE NOVATIANS.

This sect originated with Novatian, a presbyter of the Church at Rome, A.D. 249. He desired to succeed Fabianus as bishop, but Cornelius was elected and duly consecrated to the vacant see, and then Novatian raised a party of his own, and by the aid of Maximus, a fellow-presbyter, and others, secured three bishops from a distance and induced them to give him consecration surreptitiously. This ordination was null and void, and was so declared by Cornelius and a local council which he summoned to deal with the matter. Eusebius [*Eccles. Hist.*, Book VI., Chap. 43, Oxford translation] gives an account of it, and also quotes letters from Cornelius to Fabius, Bishop of Antioch, on the subject. The decree of the Council he gives as follows:

> That Novatus, indeed, and those who so arrogantly united with him, and those that had adopted his uncharitable and most inhuman opinion, these they considered among those who were alienated from the Church; but that those who had incurred any calamity should be treated and healed with the remedies of repentance.

It seems that Novatian used as a pretext for his schism the claim that Cornelius had communicated with

some who had sacrificed during a persecution, which was denounced as wrong, such persons not being capable of restoration but deprived of all hope of forgiveness in this life. The characteristic difference between the Novatians and the Catholic Church became this: that whereas the Church received the lapsed again to communion, after proof of repentance, the Novatians excluded them forever. This sect, like the Donatists at a later period, rebaptised Catholics who went to it; but it is a significant fact that little or nothing is said about it. [See Note A.]

In one of the quotations by Eusebius from Cornelius, he speaks of the ordination of Novatian as being "a kind of shadowy and empty imposition of hands." He also states that the bishops who performed the act were deposed and successors appointed to them.

Cyprian speaks of Novatian as no bishop. He says:

Cornelius was made bishop by the judgment of God and of His Church, by the testimony of almost all the clergy, by the suffrage of the people who were then present, and by the assembly of ancient priests and good men, when no one had been made so before him, when the place of Fabian, that is, the place of Peter and the degree of the sacerdotal throne was vacant; which being occupied by the will of God, and established by the consent of all of us, whosoever now wishes to become a bishop must needs be made from without; and he cannot have the ordination of the Church who does not hold the unity of the Church. Whoever he may be, although greatly boasting about himself and claiming very much for himself, he is profane, he is an alien, he is without. And as after the first there cannot be a second, whosoever is made after one who ought to be alone is not second to him, but is in fact none at all. [*Epistles* LI., 8.]*

* In another place Cyprian speaks of another deposed bishop as follows:

"Evaristus from being a bishop has now not remained even a layman; but banished from the see and from the people, and an exile from the Church of Christ, he

All this is in strict accord with the canons we have on the subject, and expresses most accurately the mind of the Church in this early age.

Notwithstanding all this, Novatian secured a considerable following, and left behind him an important sect, which was still strong at the time of the Nicene Council. Of course, the episcopal ordination of Novatian having been void, *ipso facto*, and he and all who followed him having been deposed, there were no ministers of any grade, in the sect, with valid orders. The Council was well aware of this, and must have had it in mind when action was taken concerning the reconciliation. Yet the question is never raised, at all, any more than that concerning the Novatian practise of rebaptism. In view of later events in the history of the Church, this is a significant fact.

THE MELETIANS.

Shortly before this Council, Meletius, bishop of Lycopolis, took advantage of the absence of his Metropolitan, the bishop of Alexandria, and of several bishops who were in prison for the faith, to intrude into their jurisdiction and ordain bishops. These ordinations were canonically void, and Meletius and his adherents were deposed by a Council at Alexandria on account of them. Meletius was still living at the time of the Nicene Council, which attempted to heal the schism. In this sect, as in that of the Novatians, there were, so far as appears,

roves about far and wide through other provinces, and, himself having made shipwreck of truth and faith, is preparing for some who are like him as fearful shipwrecks." [*Epistles* XLVIII., 1.]

He also speaks in Epistle LIV. of false, pretended, pseudo-bishops, referring to Fortunatus, Felix, and others schismatically ordained. And it is to be observed that Cornelius and others to whom Cyprian writes do not find fault with him for this language, but sustain him.

no ministers with valid orders, except Meletius himself, and he had been deposed. [Hefele, *History of Councils*, in loc.] If any others had ever received valid orders they were in a similar position to Meletius.

THE PAULIANISTS.

Paul of Samosata, Bishop of Antioch, was the founder of this sect, which was in heresy as well as schism. Paul was deposed by a Council in his own city, A.D. 269. [*Ibid.*] The sect survived him, but was not strong at the time of the Nicene Council. So far as orders were concerned the Paulianists, or Samosatenians, were in the same condition as the other two sects mentioned.

ALL THREE EQUALLY WITHOUT ORDERS.

These three sects, then, differing as widely as they did in other particulars, were all alike in this—that none among them had any authority or power to minister in holy things, any who had ever received valid orders having been deposed from their ministry, and the rest never having had any.

THE ACTION OF THE COUNCIL.

As to the action of the Council in regard to the Novatians and Meletians scholars differ. Some hold that the ministers of both, except Meletius himself, were admitted to the ministry of the Church by a reconciliatory imposition of hands; others contend that this imposition of hands was a new ordination; still others think there was a difference made between them, the Meletians being ordained but the Novatians not. Certainly the language of the Council seems to indicate a difference in the requirements made of these two sects, as we shall now see.

The Canon concerning the Novatians reads thus:

Concerning those who call themselves Cathari, if they come over to the Catholic and Apostolic Church, the Great and Holy Synod decrees that they who are ordained shall continue as they are in the Clergy. But it is before all things necessary that they should profess in writing that they will observe and follow the decrees of the Catholic and Apostolic Church; in particular that they will communicate with persons who have been twice married, and with those who having lapsed in persecution have had a period [of penance] laid upon them, and a time of restoration [fixed]; and in general that they will follow the decrees of the Catholic Church. Wheresoever, then, whether in villages or in cities, all of the ordained are found to be of these only, let them remain in the clergy, and in the same rank in which they are found. But if they come over where there is a Presbyter or Bishop of the Catholic Church, it is manifest that the Bishop of the Church must have the Bishop's dignity; and he who is named Bishop by those who are called Cathari shall have the rank of Presbyter, unless it shall seem fit to the Bishop to admit him to partake in the honour of the episcopal name. Or, if this should not be satisfactory, then shall the Bishop provide for him a place as chor-episcopus, or Presbyter, in order that he may evidently be seen to be one of the clergy, and that there may not be two Bishops in one city. [Canon VIII.]

The action in relation to the Meletians we learn from the Synodical Letter of the Council, which relates it as follows:

The Holy Synod, then, being disposed to deal gently with Meletius (for in strict justice he deserves no leniency), decreed that he should remain in his own city, but have no authority either to make appointments, or to administer affairs, or to ordain; and that he should not appear in any other city or district for this purpose, but should enjoy the bare title of his rank; but that those who have been placed by him, after they have been confirmed by a more sacred appointment, shall on these conditions be admitted to communion: that they shall both have their rank and the right to officiate, but that they

shall be altogether the inferiors of all those who are enrolled in any Church or Parish, and have been appointed by our most honourable colleague, Alexander.

There are some further directions in the matter, but the foregoing is all that is needed for our purpose.

Comparing the language in these two extracts, one cannot but note a difference in tone, which seems to indicate a like difference in requirement, not to speak of the language itself. When we put them beside the canon dealing with the Paulianists, we find a seeming gradation which adds to the force of this indication. This canon reads as follows:

Concerning the Paulianists who have returned to the Catholic Church, it has been decreed that they must by all means be rebaptized; and if any of them who in past time have been numbered among their Clergy should be found blameless and without reproach, let them be rebaptized and ordained by the Bishop of the Catholic Church; but if the examination should discover them to be unfit, they ought to be deposed. [Canon XIX.]

The rest of the canon treats of the inferior clergy, as those below the rank of deacon were called.

Hefele's translator, in accordance with the view taken by his author, translates the early part of the canon relating to the Novatians, or Cathari, thus:

They must submit to imposition of hands, and they may then remain among the Clergy.

The other translation, which is according to the interpretation of Beveridge and Van Espen, following Rufinus, Zonaras, and Balsamon, seems to accord best with the general tone of the canon, and to be preferable. To this may be added the interpretation of the Synod of Riez, which accords with this view, as we shall see when we come to it. [See page 52.]

If the clergy of all these sects were required to be reordained, it proves only that the Council rigidly applied the existing Canon law, sustaining the action previously taken in the respective cases.

If the ministers of either were not so required, it follows that the Council decreed the admission of these men to the ministry of the Church without the usual ordination. That they were not admitted on the plea of a former valid ordination is evident from what we have heretofore seen, and that their having what we now term "episcopal ordination" had no influence, we shall see farther on.

It is not necessary to attempt to settle here a question upon which there is so much difference of opinion, as, whatever may have been the fact in this case, we shall find action in later cases about which there can be no dispute. It is sufficient to have brought out the result of the action of the Nicene Council on both hypotheses, and this should be borne in mind. [See Note B.]

MAXIMUS THE CYNIC.

At Constantinople, A.D. 380, a case occurred precisely analogous to that of Novatian. The see was occupied by Gregory of Nazianzen at this time, but Maximus the Cynic procured himself to be ordained to the episcopate, in a clandestine manner, hoping to supplant Gregory The following year the second General Council met here, and with regard to Maximus it was declared, as we have seen from the fourth canon, quoted above (page 32), that he never was a bishop, and that all his ordinations were void. As nothing is said concerning what should be done about admitting to the ministry of

the Church the men whom he had ordained, it is to be presumed that they were left to the operation of the law ordinarily applied to such cases, viz., that, unless excommunicated, they communed as laymen and were incapable of orders. In the case of Maximus an "episcopal ordination" is expressly repudiated.

THE DONATISTS.

In the year 312 a schism occurred at Carthage; Cecilian being ordained to this see upon the death of Mensurius, and Majorinus being ordained after, for the same see, by the Numidian bishops, who pretended that because they had not been consulted, and for other reasons, Cecilian had no right to the episcopate. This schism involved the whole of Africa, so that in every town of importance there were soon two bishops, one of each party.

The case came before a Council at Rome, the following year, and before the Council of Arles in 314, and in both Cecilian was sustained and the opposite party condemned. According to Hefele, the former synod, after condemning Donatus, the successor of Majorinus, ordered that if the other bishops of the sect would return to the unity of the Church, they might retain their thrones, and that in every place where there was a bishop of both parties the one who had been longest ordained should remain at the head of the Church, and the other should be set over another diocese. [*Hist. of the Councils*, in loc.] The same authority tells us that while the complete acts of the Council of Arles have not come down to us, it is evident from what we have of them that Cecilian was acquitted and the Donatists condemned; and that from a letter written by the African bishops a century later, it seems that this Council consented that

Every Donatist Bishop who should become reconciled to the Church should alternately exercise the episcopal jurisdiction with the Catholic bishop; that if either of the two died the survivor should be his successor; but in the case in which a Church did not wish to have two bishops, both were to resign and a new one was to be elected. [*Ibid.*]

This schism continued a very long time, notwithstanding this effort to put a stop to it by such unprecedented concessions, and we get glimpses of it, and the trouble it occasioned, from time to time through the fourth century. Its claim was that it was the Catholic Church, all the rest having forfeited and lost their character through ordination by *traditors*, *i. e.*, those who had given up the sacred books in time of persecution. The Donatists rebaptised all Catholics who went to them, as the Novatians also did, and it was this practise which was the main subject of Augustine's contention with them.

That some severer measures than those of the Councils above mentioned were taken with the Donatists is evident from a canon of the Council of Hippo, A.D. 393, which reads as follows:

The old rule of the Councils, that no Donatist ecclesiastic shall be received into the Church otherwise than among the laity, remains in force, except as regards those who have never rebaptized, or those who desire to join the Church with their congregations (that is, such shall retain their clerical office). But the transmarine Church shall be consulted on this point, as also whether the children of Donatists, who have received Donatist baptism, not of their own free will but at the desire of their parents, are to be excluded from being accepted for service at the altar, on account of the error of their parents. [*Ibid;* in loc.]

The old rule here referred to is certainly not that of the earliest Councils on the Donatist schism, which, as

we have seen, dealt very mildly with these schismatics. It was probably established afterwards, by Councils of which we have no record; unless we are to understand the reference to be to the general rule for the reception of schismatics.

From the acts of the fifth Carthaginian Council, A.D. 401, we learn that the province of Africa was then suffering for want of clergy, caused probably by the Donatist schism; and canon 1 orders that

> Children of Donatists may, as has been already declared, be ordained after joining the Church.

Another Synod held at the same place about three months later, orders, in its first canon, that the Donatists should be dealt with gently. Canon 2 of this Synod is given by Hefele as follows:

> Donatist clergy shall, if necessary for the restoration of peace in the Church, retain their position, although a Council of the Transmarine Bishops has given a stricter decision.

The eighth Carthaginian Synod, A.D. 403, took order for the holding of communication with the Donatists, with a view to the settlement of differences, but a Synod held at the same place the next year testifies that the Donatists had declined to enter into communication.

The Emperor had in the meantime issued an imperial decree calling on the Donatists to return to the unity of the Church.

The eleventh of this series of Synods, held A.D. 407, decreed, in its fifth canon:

> Communities which on their return from the sect of the Donatists had bishops of their own, may keep them without further permission; but after the death of their former bishop they may give up forming a diocese of their own, and may join

another diocese. Those bishops who before the publication of the imperial edict of union, have brought back Donatist communities to the Church may henceforth keep them; but after the publication of this law all communities, whether converted or unconverted, shall be claimed by the bishops of the place to which they formerly, while still heretics (de jure), belonged.

Another Synod of Carthage, A.D. 418, enacted canons on the same subject. The ninth recites the latter part of the canon just above quoted, and modifies it somewhat. Following canons read thus:

10. If the Donatist bishop has himself become Catholic, the two bishops (he and the Catholic one) shall divide equally between them the two communities now united, so that one portion of the towns shall belong to one, and the other to the other bishop, etc.

11. If, after the publication of this edict, a bishop has brought back a place to Catholic unity, and has held undisputed jurisdiction over it for three years, it may not be taken away from him. But if a Donatist bishop is converted, no disadvantage shall accrue to him from this arrangement, but for three years after his conversion he has the right of demanding back those places which belonged to his See.

We are indebted to Hefele for all these canons, in his treatment of the several Synods in the work before referred to.

Now the Donatists were in very much the same position, originally, as were the Novatians and the Meletians. Their bishops were ordained to sees already canonically filled, and the ordinations were in violation of the canons and in opposition to the authority of the Church. It would have been perfectly right for the Church to have enforced the law against them to the uttermost, or to have required their clergy to be reordained by the Catho-

lic bishops. Instead of this, however, we find her dealing with them much more leniently. She tried some severity, at one period, as we learn from the canon of Hippo, but at other times she was exceedingly gentle with them, and at last seems to have offered them advantages over her own faithful ones. This doubtless seemed necessary to "the restoration of peace in the Church," as the sixth Synod phrases it, and therefore it was done.

Augustine was a very prominent figure in the later controversy with this sect, and replying to a taunt of theirs concerning this easy reception of their clergy, they being from the Catholic point of view so wicked, he tells them:

> This would not be the case, as, indeed, in simple truth, we must confess it should not be the case, were it not that the evil is cured by the compensating power of peace itself. [*Correction of the Donatists*, Chap. X., Clark's edition *Ante-Nicene Christian Library*.]

In the case of the Donatists, then, it is evident that when their clergy were admitted at all to the ministry of the Catholic Church, it was without her usual form of ordination, and without any laying on of hands in token of reconciliation. So far as we are informed no ceremony at all was prescribed for their reception, and it seems that no more was required of them than a simple notice of their desire and intention to conform to the Church. There is no reference, in all these proceedings, to their having had "episcopal ordination."

THE MASSALIANS.

At a Synod at Sida, in Pamphylia, A.D. 389 or 390, a sect called Massalians or Euchites was excommunicated, and their heresy condemned. The condemnation was

repeated in a Synod at Constantinople, A.D. 426. The third General Council, five years later, decreed that Massalian clerics who would anathematise their heresy might remain among the clergy, and laymen so doing might be admitted to communion. As in the case of the Donatists, nothing seems to have been required in the way of imposition of hands. [Hefele, *Hist. of Councils*, in loc.]

THE SYNOD OF RIEZ.

In the year 439, Armentarius was uncanonically ordained to the see of Embrun, by two bishops, and without the consent of Hilary of Arles, the Metropolitan. A Synod was held at Riez, under the presidency of Hilary, with reference to this affair, and it passed canons as follows:

2. The ordination of Armentarius is void (*irrita*) and a fresh appointment is to be made to the See of Embrun.

3. In reference to the fact that the Nicene Council (canon 8) treats schismatics much more gently than heretics, it is allowed that a bishop who is so inclined may grant to Armentarius a church in his diocese (but outside the province *Alpina Maritima*) in which he may be chor-episcopus. But he must never offer the sacrifice in towns or in the absence of the bishop, or ordain any cleric, or, generally, discharge any episcopal function in the Church which is granted to him, only in his own church he may confirm the newly baptized.

4. Of those whom he has ordained to be clerics, such as have been already excommunicated shall be deposed; but those who are of good reputation may either be retained by the future bishop of Embrun or transferred to Armentarius. [*Ibid.*]

Here again we find men admitted, without ordination, to the ministry of the Church, they having no orders at all; for it is manifest that if the ordination of Armen-

tarius was void, he could not give orders. Language is used here, as we have seen elsewhere, very loosely, deposition being spoken of in cases where there was really nothing to depose from.

ARIANS AND MACEDONIANS.

That many Arian clerics, when they were received into the Church, were admitted to the ministry without reordination, the history of the Arian period proves beyond question; though in many cases the canons were strictly applied, and these clerics were received only to lay communion or were reordained.

That the Macedonian Clergy were received into the communion of the Church by Liberius, of Rome, without reordination, is evident from his letter to them, given by Socrates [*Eccles. Hist.*, Book VI., Chap. XII., Oxford translation], and from the statements of the historian in connection therewith. The chapter referred to terminates as follows:

> That the Macedonians by sending legates to Liberius were admitted to communion by him, and professed the Nicene Creed, is attested by Sabinus himself, in his *Collection of Synodic Transactions*.

Finally, it is stated by Bingham in his *Antiquities of the Christian Church*, Book IV., Chap. VII., Sect. 8, that

> Anisius, bishop of Thessalonica, with a Council of his provincial bishops, agreed to receive those whom Bonosus, an heretical bishop of Macedonia, had ordained, that they might not continue to strengthen his party, and thereby bring no small damage on the Church.

THE CONCLUSION.

Whatever may have been the action of the Nicene Council in relation to the Novatians and Meletians,

therefore, we have in these later cases indisputable evidence that the Church received into her ministry, without reordination, bishops and clergy of sects in which, according to her own laws and declarations, there were no valid orders; and that no account, whatever, is made, in any case, of "episcopal ordination," the term never being used nor the fact referred to.

IV.

THE PRINCIPLE UNDERLYING THE ACTION OF THE COUNCILS.

THE question now is: Upon what principle are we to account for the action of the Councils in these matters?

THE PREVAILING THEORY.

This is, that these sects having originated with bishops, and therefore having "episcopal ordination," the Church recognised the validity of their orders, and when she received their clerics into her ministry, without reordination, she condoned the irregularity of their ordination.

We have seen that the facts do not sustain this theory. The very first step in its application to the cases we have considered, demonstrates its insufficiency.

EPISCOPAL ORDINATIONS INVALID.

Novatian and Maximus the Cynic were each ordained to their supposed episcopates by bishops—the former by three, and the latter by seven,—yet the ordinations were declared to be absolutely void; that of Maximus being so declared by a General Council, which asserted most positively that he was not made a bishop by that ordination.

Again Majorinus, the first bishop of the Donatists, was ordained to the episcopate by bishops, and not fewer than the canonical number, yet his ordination was void, under the law of the Church, and was so declared by the Councils at Rome and Arles. Neither he or any others of his sect had valid orders, therefore, and when Donatist clerics were received into the Church, without reordina-

tion, it was not on the ground that they had "episcopal ordination"—though Augustine might consistently have advanced this plea—, but it was for the sake of peace, and because this seemed the readiest and most promising way for the healing of the schism.

Those ordained by Paul of Samosata had "episcopal ordination"; yet the first General Council ignored it and required them to be ordained anew. Had the prevailing theory of to-day been recognised as the true one, the reordination of these clerics would not have been thought of, for, according to the views then as now held, such a proceeding would have been deemed sacrilege.

Whatever principle, then, governed the Churches in the reception, without reordination, of schismatical and heretical clergy, it certainly is not to be found in this theory. Yet, notwithstanding the clearness of this fact, mediæval and modern theologians almost universally assume this to be the true theory. It is this assumption that leads Morinus to say:

> What is it to track the controversy [on the validity of heretical or schismatical or simoniacal ordinations] but to exhibit bishops against bishops, councils against councils, pontiffs against pontiffs, waging a Cadmeian war? [Gore, *Christian Ministry*, p. 195.]

An edifying spectacle truly! One cannot but think of our LORD's words:

> If a kingdom be divided against itself, that kingdom cannot stand. [St. Mark III., 24.]

When we consider what the Church is, we cannot for a moment admit that she speaks with so uncertain a voice upon a subject of such great moment. The Church is Christ [I. Corinthians XII., 12], and He it is who acts

through His body, and preserves it from destruction by the human element inseparable from it. We may be sure, therefore, that there is some deeper principle than that of the false theory above referred to, upon which the Church's action in this most important matter may be accounted for, and which will remove the difficulty which led Morinus to give utterance to such language as that above quoted from him.

THIS THEORY ONLY PARTIALLY ACCEPTED.

If it be claimed that the whole Church has accepted and acted upon this theory, it must be replied that this is not true. Mr. Gore testifies to this fact. He says :

> The Eastern Church has, in fact, never got beyond the position that the Church has power to ratify in any particular case, or set of cases, ordinations which in the West would be called *per se* valid but uncanonical. [*Christian Ministry*, p. 195. See note from Morinus.]

We shall see farther on that this notion attributed to the Eastern Church is untenable, and embodies no principle sufficient to account for the facts of history.

THIS THEORY IN THE WESTERN CHURCHES.

But even if it were true that this theory had apparently been accepted and acted on by the whole Church, this would not prove it to be true. There are several things which seem to have been held by the whole Church, for a time, which are not so accepted to-day. The appeal to antiquity is always legitimate, and the verdict of antiquity is always authoritative and final as to what is Catholic. The verdict in this case is adverse, as we have seen ; and even in the Western Churches this theory has prevailed only for six hundred years, as Grueber [*Holy Order*, p. 141] shows from Morinus.

FALSE THEORIES AND RIGHT ACTS.

Further, it may be said that the doing of a right thing upon a wrong theory affects neither the propriety of the act nor the character of the theory. The act is rightly done, but the theory is as false as ever. Illustrations of this are not far to seek.

The reception of a Donatist bishop, by Augustine, on his theory of the indelibility of orders, for instance, would have been a right act, and perfectly valid and effectual, notwithstanding the falsity of Augustine's theory; which would still be false all the same.

But we may find an illustration nearer home. The reception of a Roman cleric into our ministry, without re-ordination, on the theory that because he had what we call "episcopal ordination," therefore his orders are valid, is a right reception, and is valid and effectual to the accomplishment of the end in view; though the theory, as we have seen, is false, and Romish orders in this country, as we shall see farther on, are null and void.

RETROSPECTIVE VALIDITY.

Another theory, held by some, is that the Church's reception of orders previously invalid, or only *quasi*-valid gives them a retrospective validity. This is the theory with which Mr. Gore credits the Eastern Church. A little reflection ought to be sufficient to convince one that this is untenable. When the ordination took place it was either valid or invalid; it could not have been partially one and partially the other. Now, even the Church cannot change the past. Her action in receiving into her ministry men having previously received an invalid ordination, could not possibly have any *ex post facto* operation. The character of the original ordination

could not possibly be changed by this reception, but must, in the very nature of things, remain always the same. The utmost the Church could do in such a case, would be to act for the present and the future.

"FIERI NON DEBET, SED FACTUM VALET."

The use of this legal maxim, in this connection, is simply assuming the very point in dispute. The question is not whether a man received imposition of hands from three or more bishops who intended to make him a bishop in the Catholic Church—to take the strongest case—, but whether such an imposition of hands, performed in disobedience to the Church's law and in opposition to her authority, *did make the man a bishop*. It is freely granted that the act was done, but the question is as to the EFFECT of the act. That the early Church regarded such an act, so performed, as of no effect, so far as conferring the episcopate was concerned, has been sufficiently proved.

It may be well, however, to illustrate this point still further. The legal application of the maxim above cited is only a fictitious one after all. For instance, a man has an agent who is empowered to sell a piece of property. He sells it, and whether his principal be satisfied or not, the act is *his* act and he is powerless to change it, under ordinary circumstances. But suppose some other man, who is not authorised to sell this property, sells it, what is the transaction worth? Nothing. If the owner, learning of this unauthorised sale, should consider it to his advantage to sell on the terms that were made, and should go and agree to the sale, and authorise this before unauthorised man to complete it, does this change the character of the original act? Manifestly not. This act

cannot strictly be said to be validated by the subsequent act of the owner, though it might be said so by way of a legal fiction. The truth is that the owner does, himself, really make the whole transaction, when he agrees to do the same thing which had been proposed by the pretended agent; and the act of this man remains absolutely the same in character and force—unauthorised and invalid.

So, if the Church receives into her ministry, without reordination, men who have been pretendedly ordained in disobedience to her laws and in opposition to her authority, by persons whom she has not authorised for such action, her reception of them does not change the original character of that pretended ordination, or give any validity to it. It remains always the same, unauthorised and invalid; and the truth is that by her reception of these men to her ministry, by whatever method or with no method, the Church bestows upon them the gifts usually bestowed in ordination through the laying on of the bishop's hands, and such bestowal is the one valid and effectual authorisation for the functions of their ministry.

AN ARGUMENTUM AD HOMINEM.

Should it be said by any who hold the prevailing theories on this subject that the Church cannot give ministerial authority except through the usual form of ordination, it may be sufficient to point to the historical facts which have been here brought forward, and to say: *Fieri non debet, sed factum valet.* If this maxim be applied to the unauthorised act of an individual, its application can scarcely be denied to an act of the Church, *which has authority.*

In the theories we have examined there is evidently

no sufficient principle to account for the historical facts. The principle we are seeking lies deeper, for it must meet *all* the requirements of the situation, which these theories do not.

THE TRUE PRINCIPLE.

What, then, is the true principle?

Is it not that which appears on the very surface of the Church's history? Have we not seen that each case, as it came up, was treated according to its own peculiar circumstances; the Churches and Councils doing what they deemed most expedient in the premises? Did they not receive the clerics of heretical or schismatical bodies either to lay communion, or to the Catholic ministry, with or without reordination, or cut them off by excommunication, according as seemed wise and good?

Is not the one great all-sufficient principle underlying, accounting for, and justifying all this action that of THE PLENARY AUTHORITY AND POWER OF THE CHURCH?

If it be not, where shall we seek for anything that will better harmonise all the facts and satisfy all the demands of the problem? Certainly no narrower principle will answer the purpose, and where are we to seek a broader one?

THE AUTHORITY AND POWER OF THE CHURCH.

The Church's authority and power to do just what seems to her best for the furtherance of her mission in the world is full and absolute. What she does is rightly, validly, and effectually done; the one essential thing being *the exercise of her authority*—the *method* of such exercise being indifferent. What *she* does, CHRIST does, by His SPIRIT dwelling in and animating her.

This is said of the Church as a whole ; but it may also be said of any and every autonomous division of the Church, with the proviso that the act be not contrary to the faith, nor in opposition to the law of the whole body. The Church as a whole cannot go astray, formally, but any particular part of it may do so ; hence the necessity that the part should conform to the whole in all matters which have been pronounced upon by it for all time. In those things upon which she has not so pronounced, the national or provincial Church governs itself.

It follows that if the Church as a whole, in a General Council, or any autonomous branch of the Church in its local Council, has received into the Catholic ministry, without the usual form of ordination, men who had no valid orders previously, such reception gave to them all that would have been given had the usual form been followed, and that their ministrations were thenceforth done by the Church's authority, and were *therefore* valid and effectual. [See Note C.]

PARTICULAR FORMS NOT ESSENTIAL.

That the usual form is not absolutely essential should not surprise us, nor would it were we not so much under the influence of Roman Canonists. Bingham relates how Gregory Thaumaturgus was made a bishop without the laying on of hands ; and Cave's conjecture, to which Bingham refers, is of no force whatever [*Antiquities*, Bk. IV., Chap. VI., Sect. 11]. That among those who have assumed that *some* ceremony is essential to ordination, it was long in dispute what that ceremony was, is well known [Gore, *Christian Ministry*, p. 68 n]. Morinus, having investigated the matter historically, finding that the imposition of hands was universally the ordinary

usage, and, because of his theory of the indelibility of orders, missing the significance of the facts emphasised in this essay, concluded that this form was the essential ceremony in ordination. Treating orders as a sacrament, and assuming that sacraments have essential forms, he naturally fell into this error. It may be said, in this connection, that even the two sacraments instituted by our LORD, have no such essential forms as to preclude the reception of the spiritual reality without the outward and visible sign. Otherwise the English and American Churches are wrong in the third rubric at the end of the office for *The Communion of the Sick.** So also were the Fathers at fault in counting baptism in the blood of martyrdom equivalent to that in the usual form.

PRINCIPLES NOT BOUND TO FORMS.

This suggests the general question as to how far principles are bound to and dependent upon prescribed or accustomed forms. The prevailing idea among us seems to incline to consider them as inseparable, though probably every one would admit that there are exceptions. It may be profitable to briefly consider the question, here, in connection with a subject upon which it has an obvious bearing.

It may be said, then, that the simple fact that a given principle is customarily manifested through an appropri-

* But if a man, either by reason of extremity of sickness, or for want of warning in due time to the Minister, or for lack of company to receive with him, or by any other just impediment, do not receive the Sacrament of Christ's Body and Blood, the Minister shall instruct him, that if he do truly repent him of his sins, and steadfastly believe that Jesus Christ hath suffered death upon the cross for him, and shed His blood for his redemption, earnestly remembering the benefits he hath thereby, and giving Him hearty thanks therefor, he doth eat and drink the Body and Blood of our Saviour Christ profitably to his Soul's health, although he do not receive the Sacrament with his mouth.

ate form, is no proof that this form is essential to the manifestation or application of the principle.

For instance, the gift of the HOLY GHOST may be termed the principle manifested and applied in the Ordinance of Confirmation. There is no question but that every recorded occasion of the bestowal of this gift by the Apostles was through the laying on of their hands. Yet, if we examine the history of their Acts, closely, we find instances in which this gift was certainly bestowed, in which the laying on of hands seems impossible—*e. g.*, the three thousand converts at Pentecost. It will be readily admitted that all the testimony of the first two centuries indicates that it was through the imposition of the hands of the bishops that this gift was bestowed. Yet the Eastern Churches, for centuries past, have not used this form for this purpose, nor, according to common report, do all the bishops of the Roman Communion use it, now. Have they therefore no Confirmation among them? Have they ceased to bestow the gift of the HOLY GHOST upon their people? Who will be bold enough to assert this?

So it may be said that the principle manifested and applied through the usual form of ordination is the gift of the HOLY GHOST to enable the ordained to validly and effectually perform certain ministerial functions—the gift of authority and power. Is the gift bound to and inseparable from this ordinary ceremony? It is assumed by many that this is the case. The assumption is not by any means a necessary one, however, nor is there any such prescription of the use of the form as to justify such an assumption. The original Apostles were not thus set apart to their ministry; neither were Matthias and Saul of Tarsus, who were made apostles later. And we

have seen that men have been many times admitted to the Church's ministry without her accustomed form.

If it be argued that because these last had received the *form* of ordination before, in heresy or schism, therefore they were received in this manner, what will be said concerning the Paulianist clergy, and others, who, although they had received the *form*, even from bishops, were required to be ordained? If their heresy be supposed to be the cause for this, then what will be said of other heretics who were not reordained—*e.g.*, Arians and Macedonians—, or of Ischyras, who received the *form* from the presbyter Colluthus [Hefele, *History of Councils*, Synod of Tyre, A.D. 335], and whose orders were not therefore recognised because of the accustomed *form* having been used. Many cases of the reordination of those who had previously received the usual form prove the unsoundness of this theory; and those who would be most likely to make this objection would be the first to repudiate and deny the efficacy of the form in non-episcopal bodies.

INCONSISTENCIES.

A great weakness in some notable authors is found in the inconsistency of their remarks concerning the sacraments in general with those made on the sacrament of baptism in particular. Speaking of the former, they use the language of common sense, and insist upon authority in the administrator, as well as the usual form and matter; but when they come to baptism they ignore their own reasonings, and incontinently give up the authority as unnecessary, making the *form* sufficient. Then they go on again to deny that *form* is of any value in the case of orders, and insist that it must be reiterated

whenever men with non-episcopal orders come to the Church. If the *form* be of such potency in the one case, why is it of no value in the other?

The answer to this question would probably be that the bishop is essential to the completeness of the form in ordination, but the ordained minister is not so essential in baptism.

There is a fallacy here. The bishop *is* essential to ordination; and so he is to baptism, if Ignatius and all the early writers previous to Tertullian are to be trusted —and even he may be interpreted in the same sense. But we have seen that the early Churches did not consider the *manual act* of the bishop essential to ordination, though the *authority* of the bishop was recognised and respected. To say that the bishop is necessary is only another way of saying that the authority of the Church is necessary. He is necessary because he is the governing member of the body—the member through which the SPIRIT who animates the body, speaks. That SPIRIT is necessary to any and all action, to baptism as well as to ordination. Even the most radical advocates of the validity of lay baptism, so-called, have based their advocacy on the ground that the sacrament always, everywhere, and by whomsoever administered is *the Church's sacrament, not the sacrament of heretics.* Why not be entirely consistent and say the same of ordination?

THE ONLY SATISFACTORY CONCLUSION.

The fact is that no rest is to be had for the mind in any principle short of the broad one, above suggested as the true one. This relieves us of all difficulties, and gives us firm standing ground. We turn to it therefore, and settle down upon it, and rest from the strife of tongues.

V.

THE PRESENT APPLICATION OF THE PRINCIPLE.

IF we have found the principle for which we were seeking, the question immediately arises: Why cannot the American Church apply this principle to the solution of the problem confronting her in this nation? If she has hitherto acted on a narrower one, which is inadequate to the needs of the time, and has been demonstrated to be unhistorical, why can she not now abandon it for the broad, and true, and all-sufficient one? If she believes Christian Unity to be so valuable and desirable a thing, why can she not now interpret the fourth term in the declaration of her bishops so as to receive ministers of the various Protestant bodies—they proving themselves to be good and fit men, and accepting her system of doctrine, discipline, and worship—without reordination?

ROMAN ORDERS IN THE UNITED STATES.

She does accept Roman clerics in this way, though, judged, from her point of view, by the canon law which Rome itself accepts, their orders are null and void. It needs but a slight examination of the canonical status of the Roman mission in this country to verify this statement, startling as it may appear to be. We have seen that the plea upon which these clerics are so received by us—that they have had "episcopal ordination"—has no precedent in the Church of the General Councils. The early Church attached no importance whatever to this plea in the cases considered in this essay; in fact no such plea was made or even mentioned in these cases. The

plea is canonically insufficient, and the sooner it is abandoned the better. In actual fact, these orders are no more *episcopal* orders than were those of the Novatians, the Donatists, or the followers of Maximus the Cynic.

THE ORIGIN OF ROMAN ORDERS IN THIS COUNTRY.

The Roman hierarchy in this country originated with a bishop who had but one consecrator, and he an intruder into the jurisdiction of the English Church. An account of the pretended consecration of this man was reprinted, by photo-lithographic process, from a contemporaneous Romish pamphlet, by the Historical Club, of New York city, in 1876. This pamphlet contains, among other things, *A Short Account of the Establishment of the New See of Baltimore*, in which, after a statement leading up to the appointment, by the Bishop of Rome, of the Rev. Dr. John Carroll, as bishop, we are told of the consecration as follows:

Upon the receipt of his Bulls from Rome, he immediately repaired to England, where his person and merit were well known, and presented himself to the Right Rev. Dr. Charles Walmesly, Bishop of Rama, Senior Vicar Apostolic of the catholic religion in this Kingdom. By invitation of Thomas Weld, Esq., the consecration of the new Bishop was performed during a solemn high Mass in the elegant chapel of Lullworth Castle, on Sunday, the 15th day of August, 1790, being the feast of the Assumption of the Blessed Virgin Mary, and the munificence of that gentleman omitted no circumstances which could possibly add dignity to so venerable a ceremony. The two Prelates were attended by their respective assistant priests, etc. [*An Account of the Consecration, by one Bishop, a Bishop "in Partibus," of the First Romish Bishop in the United States*, p. 3.]

It is plain enough from this statement of the Romanists themselves that this consecration was performed by

only one bishop, and in the jurisdiction of the English Metropolitan and bishops. That it was done without their consent needs no proof.

THIS ORDINATION VOID.

This ordination or consecration was null and void, according to the Canon law.

It was so, first, because it was done by only one bishop, without any sufficient necessity for such a departure from the canonical requirement. [Apostolical Canon I., Nicæa IV. See Note D.]

It was so, secondly, because it was done by an intruder into the jurisdiction of another. [Apostolical Canon XXXV., Antioch XIII., XXII., Constantinople II., Ephesus VIII.*]

* As the Ephesine canon has not been heretofore transcribed, it is here given. The other canons referred to will be found on page ~~83~~. 31

Our brother, Bishop Rheginus, the beloved of God, and the beloved of God the Bishops with him, Zeno and Evagrius, of the Province of Cyprus, have reported to us an innovation which has been introduced contrary to the constitutions of the Church and the Canons of the Holy Apostles, and which touches the liberties of all. Wherefore, since injuries affecting all require the more attention, as they cause the greater damage, and particularly when they are transgressions of an ancient custom; and since those excellent men, who have petitioned the Synod, have told us in writing and by word of mouth that the Bishop of Antioch has in this way held ordinations in Cyprus; therefore [we declare that] the Rulers of the Church in Cyprus shall enjoy without dispute or injury, according to ancient custom and the Canons of the blessed Fathers, the right of performing for themselves the ordination of their excellent Bishops. The same rule shall be observed in the other Dioceses and Provinces everywhere, so that none of the most religious Bishops shall assume control of any Province which has not heretofore, from the very beginning, been under his own hand or that of his predecessors. But if any one has violently taken and subjected [a Province], he shall give it up; so that the Canons of the Fathers may not be transgressed; nor the vanities of worldly honour be brought in under pretext of Sacred Office; nor we lose, little by little, and at length forget, the liberty which our Lord Jesus Christ, the Deliverer of all men, hath given us by His own Blood. Wherefore, this Holy and Œcumenical Synod has decreed that in every Province the rights which heretofore, from the beginning, have belonged to it, shall be preserved to it, according to the old prevailing custom, unchanged and uninjured: every Metropolitan having permission to take, for his own security, a copy of these acts. And if any one shall bring forward a rule contrary to what is here determined, this Holy and Œcumenical Synod unanimously decrees that it shall be of no effect.

It was so, thirdly, because it was done without the consent of the English Metropolitan and his co-bishops. [Nicæa IV., VI., Antioch XIII., XIX., XXII.]

It is to be noted that all these canons were re-affirmed at Chalcedon, by the fourth General Council, and that the re-affirming canon is now to be found in the Canon law—the *Corpus juris canonici*—in c. 14, C. xxv., q. 1; and the special re-enactment, in Canon 5, concerning intrusion is found as c. 26, C. xii., q. 1 [Hefele, *History of Councils*, Chalcedon, Canons 1 and 5].

THE CONSEQUENCE IN THIS COUNTRY.

Every act of the one so ordained was null and void, because of these facts; and would have been so, under the same canons, even had his ordination been performed canonically, because of his intrusion into the jurisdiction of the American bishops, and the want of their consent.

And for the same reasons every official act of every Roman cleric in these United States, from that day to this, has been equally null and void, if the Canons of the Church Catholic have not lost their force.

CARDINAL WISEMAN'S TESTIMONY.

So unexceptionable an authority, on the Roman side, as Cardinal Wiseman, testifies to the correctness of this position. Bailey [*Jurisdiction and Mission of the Anglican Episcopate*, p. 67] quotes the Cardinal as follows:

> What will vitiate the episcopacy of a See, a province or Kingdom, so as to cut it off from all participation in the rights of apostolical succession and jurisdiction? We have seen the case of the Novatians, treated in Canon VIII. of Nicæa, and the decree regarding them is extremely valuable, as embodying principles acted upon most rigidly in the ancient Church. From it we are necessarily led to the conclusion, that any appointment

made to a bishopric, even by valid consecration, which is at variance with the Canons actually in force in the Church, is unlawful, and leaves the Bishop so appointed void of all jurisdiction and power; so that he is a usurper if he take possession of a See.

In these and other instances, as Bolegni remarks, there is no question of removing or deposing; but such Bishops were not supposed to have ever possessed any jurisdiction from the beginning * * * that such nullity of episcopal nomination was the necessary consequence of the violation of the canons in force.

The Cardinal is here arguing against the position of the English bishops, on the assumption that as they had not received jurisdiction from the bishop of Rome, they had none. He is also assuming the soundness of the theory refuted in this essay—on the indelibility of Orders —, and making the defect to consist in want of jurisdiction. Putting aside these assumptions as entirely unwarranted and false, his argument returns with crushing force upon his own head, and may properly be used against Roman orders both in England and in this country. It fits the case in hand, admirably, and shows that under the Canons, Roman clerics in these United States have no orders at all.*

ROMAN CONVERTS TO THE AMERICAN CHURCH.

What then is to be said of the orders and the acts of such of our clergy as have been received from the Roman Mission, without reordination?

Simply this: Their reception by the American Church has availed just as the reception of the Nova-

* An equitable plea might perhaps be made in abatement of this strict construction of the canon law, but here this strict construction must be emphasised. Roman clerics in this country who have received their orders canonically, in all respects, in other countries, from Bishops who were not intruders, have valid orders, of course, so far as the present argument is concerned; but their acts in this country, being intrusive, are void.

tians, Donatists, and others availed; and has given them authority and power for the valid performance of the functions of their new ministry, just as the customary form of ordination would have done.

THE CHURCH AND PROTESTANT MINISTERS.

A similar reception of ministers not having what our local canons recognise as "episcopal ordination," would do as much for them.

It is alleged that the English and Scotch Churches have admitted to their ministry, without reordination, men not having previously had episcopal ordination. The allegation, notwithstanding the strenuous efforts made to discredit it, seems to have a solid foundation of fact; its apparent refutation having derived its strength from the incautious application of the statement to cases in which it was not applicable. The statement being true, these Churches did no more than was done by other Churches in ages past; for invalid ordination, even by a real bishop, cannot be properly called "episcopal ordination."

The question is not, let it be remembered, one of distinction between episcopal and non-episcopal ordination, for under the canon law of the early Church, which is of force to-day, the former is as invalid and void as the latter, when given in disobedience to this law and in opposition to the rightful authority of the Church.

There need, therefore, be no dispute or disturbance about the action of these Churches in this connection. As autocephalous and autonomous Churches they had the right to exercise their discretion in the matter, and what they did was well and validly done. Should they, to-day, receive into their ministry, without reordination,

all the Presbyterian ministers in their respective jurisdictions, there would be no canonical or proper ground of complaint against them, nor would there be any reason to doubt the validity of the orders or the consequent acts of the men so received.

PROTESTANT CHURCHES.

So, should any entire body of Protestants desire to accept, *en masse*, the terms of the American Bishops, the same principle might properly be applied, and the historic episcopate be given to them, without immediate organic unity, under such conditions as would promise security for the future. What those conditions should be must necessarily be a matter for most serious consideration. There are some very important questions upon which a preliminary understanding and agreement should be made. The other terms in the declaration of the Bishops would need to be explained, and understood in some definite sense not open to misconstruction and dispute.

ORGANIC UNITY THE GOAL.

The mere fact of the same field being occupied by a plurality of bishops, and by different organisations, under separate governments, is sufficiently startling. It would be an anomalous condition of things, unprecedented, except upon a small scale, in the history of Christendom, and should be regarded as only a temporary arrangement, to endure no longer than might be necessary to bring about perfect organic unity. A rigid uniformity is neither desired nor desirable, but there should be, at least in matter of doctrine, no greater diversity than already exists in our own Church.

If all the orthodox religious bodies in the land should receive the historic episcopate and then continue, indefi-

nitely, to act independently, as they are now doing, what would be the probable result? The idea that we can afford to give the episcopate on any such conditions or with any such prospect seems wildly utopian—though it would be anything but a Utopia that would result from such a course. We should soon have Churches against Churches, Councils against Councils, bishops against bishops, and anathemas against anathemas, as plentifully as in the Arian period; for the coming closer together only in the matter of episcopacy would inevitably tend to drive us farther apart in other things. Family quarrels are proverbially the most bitter of all quarrels, and there would not be wanting narrow, bigoted, bitter men, of a spirit alien to that of the Church, who would stir up strife all the more successfully, because of the new vantage ground obtained through the possession of episcopal orders. Such a unity would be disastrous rather than beneficial, and would make things worse rather than better.

It would be necessary, therefore, to provide to the utmost possible limit against such contingencies, before the episcopate should be given. The best plan would probably be to first remove the obstacles in the way of giving the episcopate when the proper time should arrive; and then to take up, one by one, such other obstacles to a real and hearty unity as might be seen to exist, until the way should seem clear to an ultimate and not very far distant arrival at the organic union of the various bodies into one great national Church.

ROME AND GENEVA ON THE SAME FOOTING.

In the meantime, for the benefit of individual ministers who should desire to connect themselves with us,

steps should be taken to provide for their reception on the same or similar terms as those upon which Roman Clerics are now received, the bishops being allowed large discretion as to time and other minor requirements.

AN UNNECESSARY QUESTION.

Finally, it may be said that there is no need whatever that the Church should, now more than of old, raise the question of the validity of the orders of those whom she should receive or bestow the historic episcopate upon. It is well known that this is a question upon which there are different opinions, even among ourselves, and that the language of the Church is variously interpreted.

Leaving then, this question, as of no importance in this connection, and each holding his own opinion as seems to him good, we can go on to apply the principle which has been affirmed in these pages, and so facilitate and forward the great work of Christian unity, which, in the magnitude of its importance dwarfs every other question not pertaining to the essentials of the faith itself.

AUTHORITY AND POWER OF THE AMERICAN CHURCH.

The historic Church in and of this nation has authority and power herein. All that is necessary is that she should use it wisely, to the most effective furtherance of her GOD-given mission. Under ordinary conditions, ordinary methods are sufficient; but in emergencies it is proper and sometimes necessary to depart from the accustomed ways, only so it be done by competent authority. We have seen the Churches of the early ages doing this, and so dealing with abnormal conditions in ways seeming best calculated to remove those conditions.

The American Church is privileged, if not in duty bound, to follow their example. An emergency certainly and confessedly exists, now and here. We are confronted with conditions more deplorable, and on some accounts more critical, than any that have heretofore occurred in the Church's history. In view of these conditions it is more than ever necessary that everything possible should be done to heal divisions among believers in the LORD JESUS CHRIST, and to bring them into that unity for which He so earnestly prayed. If we cannot now find ground of hope for the bringing of Romanists into this unity, at least we may strive to bring all others, and this may lead to the final reconciliation of even the most hopeless. It is needful that bickerings and quarrelings should cease; that the tremendous waste of power and means, incident to our divisions, should be stopped; that we should distribute our forces more evenly over the field committed to us; that our Missions in foreign lands as well as our work in the home field should witness for unity, not, as now, for division; that, in short, all, who possibly can, should stand *together* for the faith of the Gospel and the advancement of the Kingdom of GOD.

THE RESPONSIBILITY OF THE AMERICAN CHURCH.

Authority and power beget responsibility; therefore the historic Church of the nation is responsible for doing her uttermost to secure this much to be desired end. Hers it is to witness for unity, to invite to it, to make all possible sacrifices for it, to yield all except fundamental principles to secure it. She has made a good beginning in the declaration of her Bishops. Will she rise to the full level of her opportunity, and boldly meet the demands of the time and the occasion?

VI.

SUMMARY.

IT may be well, in conclusion, to state, concisely, the principal results at which we have arrived; so that we may have them all before us.

We have seen:

I. That the prevailing theory of the indelibility of Orders is not primitive, not Catholic, but Augustinian and Roman; that it is not accepted by the Eastern Church, and has prevailed even in the Western Churches but six hundred years.

II. That the distinction now made between *invalid* acts and acts *uncanonical but valid*, was unknown to the early Church; which understood a deposed bishop to be deprived of power as well as authority to perform the functions of his former ministry, and an act done in violation of the law of the Church and in opposition to her authority, to be null and void.

III. That the maxim: *Fieri non debet, sed factum valet*, has no proper application in connection with the functions of the Christian ministry, but is simply a begging of the question and an assumption of the very thing to be proved.

IV. That there is no such thing possible as the validation of an originally invalid function, or the bestowal on it of a retrospective validity.

V. That the mere fact of orders being derived from bishops was not recognised as giving such orders validity, and that therefore the theory upon which we receive into our ministry, without reordination, men having what we

term "episcopal ordination," is inconsistent with the practise of the early Church.

VI. That the Councils did not raise the question of the validity of the orders of separatists whom they were seeking to bring back to the Church, but exercised their own discretion as to the terms and the mode of the reception of such men.

VII. That men having, under the Church's law, no orders at all, were, for the sake of peace and unity, received into the Catholic ministry without the usual form of ordination, and, indeed, without any form at all.

VIII. That the prevailing theories are utterly incapable of accounting for all the facts in the history of the Church's treatment of separatists, and that the only principle broad enough to do this is to be found in the fact of the Church's plenary authority and power to do whatever seems to her wise and expedient, in all such matters.

IX. That this authority and power are possessed by every autonomous Church, and therefore by the American Church.

X. That it is certainly the privilege, and apparently the duty of the American Church, to apply this principle to the bringing about of unity among American Christians; and that she may as well receive Protestant as Roman ministers, without reordination, for the facilitation of this end.

NOTE A.

(*See page* 41.)

The Novatians and the Donatists equally rebaptised their converts from the Catholic Church. We learn this of the former, quite incidentally, through the controversy of the third century on heretical baptism. Nothing is said about it in the Nicene Council, nor does anything seem to have been made of it. Indeed, such rebaptisation was the natural outcome of the Novatian position.

But the Donatist position was essentially the same, and their rebaptisation was equally natural. Yet, this, which was ignored in the case of the Novatians, is made by Augustine the burden of his complaint against the Donatists. Why this difference? The practise could have been no worse in the one case than in the other, and why Augustine should have chosen this ground of attack we cannot tell. He did choose it, however, and in the exigencies of controversy he excogitated his peculiar theory of the indelibility of Orders, with which to justify his views of the validity of heretical baptism.

NOTE B.

(*See page* 46.)

It may be advisable to bring out still more forcibly these alternatives, and some of their results.

Rome and Carthage agree in repudiating the ordination of Novatian, and declare it to be null and void. [Cyprian, *Epistles* XLV., 1, LI., 8, 24; Eusebius, *Eccles. Hist.* VII., 43.]

I.

If the Nicene Council required the Novatian clerics to be reordained, it simply sustained the decisions of Rome and Carthage, and strictly enforced the Canons. In which case the ordination was recognised by all as null and void.

II.

If the Nicene Council did *not* require the Novatian clerics to be reordained, it was not because it recognised the validity of Novatian's ordination, contravening the decisions of Rome and Carthage and the canon law, as has been assumed; for the ordination of Maximus the Cynic was precisely parallel to that of Novatian, and the second General Council distinctly declared that Maximus was not made a bishop by that ordination, but that all that had been done about him was void.

Therefore—unless we are prepared to admit that these two General Councils acted on flatly contradictory principles—the Nicene Council admitted to the Catholic ministry, without ordination, men who had no orders at all, previously.

In neither case was there any recognition of Novatian orders; which effectually disposes of the claim that such an ordination as that of Novatian was simply irregular but valid, as well as of the sophism: *Fieri non debet, sed factum valet.*

NOTE C.

(*See page* 62.)

It is obvious that the principle here applied to Orders is equally applicable to baptism. In fact, it was by studying the question of what is popularly but most inaccurately termed lay baptism, that the writer was led to the application of this principle to Orders.

Persons received the *form* of baptism from those not authorised by the Church to administer it; sometimes within and oftener without the Church. What was to be done about it? Some said one thing, some another. Some admitted such persons to the eucharist by the imposition of hands. Others baptised them just as though they had never received the form, counting it as an absolute nullity. In either case, these persons, when received, by whatever mode, became partakers of all the privileges belonging to the unity and communion of the Church. True, Stephen of Rome, and some of his adherents,* claimed that the spiritual benefits accompanied and followed the administration everywhere and by whomsoever administered; but this was repugnant to the common sense of the Church, and did not prevail to any extent.

Now, the form, so administered, was either valid—that is, *of force*, as baptism—or not. If it was, then, by parity of reasoning, any and every other rite of the Church, administered under similar circumstances, should be recognised as equally valid. This was not admitted, and some took the ground that none of the other rites are so necessary to salvation but that a man might be saved without them, whilst without baptism no one could be saved—martyrdom being, however, admitted to be a substitute for the ordinary sacrament—, therefore the difference. Another ground taken was that the ministry is only a matter of

* Among whom must be counted the great majority of the advocates of the validity of lay baptism, so-called, in modern times. Very few of these recognise any such distinction as is emphasised by Augustine, between the validity of the form *as form*, and the spiritual effect of the form.

order, and that in the absence of the clergy every layman, being a priest in a certain sense, was competent to administer baptism and the eucharist. Still another view was that one having once received the power to administer the sacraments could never lose it, and that therefore heretics could give them.

Of these three theories it may be said that the first was based on a misconception which no one now holds; the second is manifestly as good for orders as for other functions, and flatly contradicts all the testimony of the first two centuries; while the third was that of Augustine, which it is hoped has been sufficiently refuted in the foregoing pages.

We are driven back, therefore, to the conclusion that one function administered without authority is just as good and no better than any other function administered under similar circumstances. How a different conclusion could ever have been so largely accepted can be accounted for only by the persistent tendency, in the West, to follow the bishop of Rome, constantly fostered and taken advantage of, as it has been, by the lying spirit which, for so many centuries, has seemed to be embodied in the papacy.

If the form was *not* valid, then, when men were received without baptism, either they were not truly received at all, or they obtained at their reception the benefits usually bestowed through baptism. The former hypothesis did not seem to be tenable, for such persons were visibly in the enjoyment of all the outward privileges of membership in the Church. It remained, therefore, only to assume the truth of the latter hypothesis, and then to seek the principle which would satisfactorily account for this seeming anomaly. The only one possible of acceptance seemed to be that of the Church's plenary authority and power to do, validly and effectually, whatever she deemed wise and good.

For a full discussion of the question of baptism, the reader is referred to a series of Articles now in course of publication in *The Church Review*.

NOTE D.

(*See page* 69.)

Reference should perhaps be made, in this connection, to the *Apostolic Constitutions*, which, in the main, date back to the fourth century, at the latest, and which may be relied on, when according with the other documents of that and earlier times, as giving the sense of the Church.

Concerning the ordination of a bishop, Sect. XX., Book III., is similar to Apostolical Canon I. It reads as follows:

THAT A BISHOP OUGHT TO BE ORDAINED BY THREE OR TWO BISHOPS, BUT NOT BY ONE; FOR THAT WOULD BE INVALID.

XX. We command that a bishop be ordained by three bishops, or at least by two; but it is not lawful that he be set over you by one; for the testimony of two or three witnesses is more firm and secure. * * *

Again in Book VIII., Sect. III., XXVII., we find further and fuller directions on the same subject.

SIMON THE CANAANITE CONCERNING THE NUMBER NECESSARY FOR THE ORDINATION OF A BISHOP.

XXVII. And I Simon the Canaanite make a constitution to determine by how many a bishop ought to be elected. Let a bishop be ordained by three or two bishops; but if any one be ordained by one bishop, let him be deprived, both himself and he that ordained him. But if there be a necessity that he have only one to ordain him, because more bishops cannot come together, as in time of persecution, or for such like causes, let him bring the suffrage or permission of more bishops.

The likeness of this to Canon IV. of Nicæa is marked, and the fact that the latter requires at least *three* bishops to be present, seems to indicate that the Constitution is of older date.

APPENDIX TO CHRISTIAN UNITY AND THE HISTORIC EPISCOPATE.

By an oversight of the author, the following Canons, referred to on pages 69 and 70, were not quoted at the proper place.

APOSTOLICAL CANONS.

1. Let a Bishop be ordained by two or three Bishops.

35. Let no Bishop presume to hold ordinations beyond his own boundaries in Cities or districts not within his jurisdiction; and if he should be convicted of having done this without the consent of the Bishop having jurisdiction in such Cities or districts, both he and those whom he has ordained shall be deposed.

NICENE CANONS.

4. It is by all means proper that a Bishop should be appointed by all the Bishops in the Province; but should this be difficult, either on account of urgent necessity or because of distance, three at least should meet together, and the suffrages being taken, those of the absent [Bishops] also being communicated in writing, then the ordination should be made. But in every Province the ratification of what is done should be left to the Metropolitan.

6. Let the ancient customs prevail in Egypt, Lybia and Pentapolis; so that the Bishop of Alexandria have jurisdiction in all these Provinces, since the like is customary for the Bishop of Rome also. Likewise in Antioch and the other Provinces, let the Churches retain their privileges. And this is to be universally understood, that, if any one be made Bishop without the consent of the Metropolitan, the great Synod has declared that such a man ought not to be a Bishop. If, however, two or three Bishops shall from natural love of contradiction, oppose the common suffrage of the rest, it being favorable, and according

to the Canon of the Church, then let the choice of the majority prevail.

CONSTANTINOPOLITAN CANON.

2. The Bishops of a Diocese are not to invade Churches lying outside of their bounds, nor bring confusion on the Churches; but let the Bishop of Alexandria, according to the Canons, alone administer the affairs of Egypt; and let the Bishops of the East manage the East only, saving the privileges of the Church in Antioch, which are mentioned in the Canons of Nicæa; and let the Bishops of the Asian Diocese administer the Asian affairs only; and the Pontic Bishops only Pontic matters; and the Thracian Bishops only Thracian affairs. And let not Bishops go beyond their Diocese for ordination or any other ecclesiastical administration, unless they be invited. And the aforesaid Canon concerning Dioceses being observed, it is evident that the Synod of every Province will administer the affairs of that particular Province, as was decreed at Nicæa. But the Churches of God in heathen nations must be governed according to the custom which has prevailed among their forefathers.

This oversight also makes it necessary that the second line of the note of page 69 should read as follows:

The Antiochene Canons will be found on page 31.

It may be noted here that in the reference to Eusebius on page 80, VII. should be VI.

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